



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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Case No.13830/1021/2023

In the matter of:

Shri K. Khetrabasi

...Complainant

Versus

The Principal Chief Personnel Officer,
East Coast Railway

...Respondent No. 1

The Secretary,
Department of Personnel and Training **...Respondent No. 2**

RECORD OF PROCEEDINGS

1. Hearing:

1.1 A Hearing in hybrid mode (online/offline) was conducted on **02.09.2025**. 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. | Mrs. Renubala Sahoo | Complainant | In person |
| 2. | Mr Suresh Kumar Behera - Dy. Chief Personnel | For Respondent | Online |

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| | Officer (Administration), ECoR | |
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2. Record of Proceedings:

2.1 Referring to the previous hearing in the matter, the Complainant's representative submitted that clarification from the Department of Personnel and Training (DoPT) was sought regarding the interpretation and implementation of reservation in promotions, particularly in cases involving single vacancies. The same was still not made available.

2.2 The Railways have since provided their clarification, which was placed on record. The Court noted that the Railways, in its Notification No. 2025-E(SCT)I/133/10 dated 09.06.2025, stated as follows:

“One of the Railway viz East Coast Railway has sought clarifications on the following issue:

“Whether the instructions contained in RBE No. 97/2022, i.e. reservation in promotions from Group 'C' to Group 'B' posts to the persons with Benchmark Disabilities (PwBDs), are also applicable for the selections where only a single vacancy has been assessed against reservation roster point post in a Recruitment/Promotion year, in compliance to para 2 of Railway Board's letter No. 99E(SCT)I/25/26 dated 16.03.2001 (RBE No. 58/2001).”

2. The same has been examined in Board's office and clarified that in case of vertical reservation for SC/ST in promotion due to the restriction of 50% ceiling, a single vacancy occurring in vacancy year can't be reserved and the vacancy is filled by UR. However, since in case of Horizontal reservation, no such condition of 50 % ceiling is applicable, there is no such problem of earmarking a single vacancy occurring in a recruitment year to PwBD as per the roster.

3. In case such PwBD candidate happens to be the senior most and belonging to SC/ST appearing at merit No.1, without availing any relaxation/concession, the candidate will be

adjusted against UR post and the PwBD reservation will be carried forwarded, otherwise the PwBD point would stand consumed subject to future adjustment against respective SC/ST category as per DoP&T guidelines."

2.3 The Court observed that further clarification from the DoPT is necessary. Accordingly, it was decided to implead the Secretary, DoPT and seek comments within 15 days—necessary case documents to be forwarded to the DoPT. The DoPT is, therefore, advised to furnish their comments with a copy to the Complainant and the Respondent No. 1, who may file their rejoinder, if any, within a further period of 15 days.

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

(P. P. Ambashta)
Dy. Chief Commissioner