



सत्यमेव जयते

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/15279/1021/24

Dated: 09/01/2026

**Case no. CCPD/15279/1024/2023**

**In the matter of:**

Shri Kiran Pannalal Wagh

**...Complainant**

***Versus***

The Secretary,

Ministry of Railways

**... Respondent No.1**

The General Manager,

Western Railway, Mumbai

**... Respondent No.2**

## **RECORD OF PROCEEDINGS**

### **1. Hearing:**

1.1 A hearing in hybrid mode was conducted on **23.10.2025**, wherein the following parties/representatives were present:

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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,  
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E-mail: [ccpd@nic.in](mailto:ccpd@nic.in); Website: [www.ccdisabilities.nic.in](http://www.ccdisabilities.nic.in)

(पया भविष्य मे पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखे)

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



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S. No.	Name and Designation of the Attendees	On Behalf of	Mode of Attendance
1.	Shri Kiran Pannalal Wagh	Complainant	Offline
2.	Shri Pramod Kumar Safi, Executive Director (Reservation)	Respondent No. 1	Online
3.	Shri Manikantan Nair, AFA/ADM, Western Railway	Respondent No. 2	Online

## 2. Record of Proceedings:

2.1 Firstly, the Court took serious note of the failure of the Respondents to submit a timely reply to the statutory notices issued in April 2024 and July 2024, observing that such non-compliance amounts to a violation of the Rights of Persons with Disabilities Act, 2016. The Court noted that the Complainant is a person with disability and also belongs to the Scheduled Caste category. It was further observed that reservation in promotion for Group 'A' and Group 'B' posts was introduced on 17.05.2022 and subsequently given retrospective effect from 30.06.2016. In view of this legal position, the Court questioned the Respondents as to why the Complainant's grievance relating to denial of reservation in promotion had not been resolved despite repeated notices.

2.2 The Respondent No.2 submitted that promotion to the post of Assistant Financial Advisor (Group 'B') is governed by a 70:30 ratio, with 70% posts filled on the basis of seniority-cum-selection and 30% through a merit-based departmental examination. It was contended that the PwBD vacancy fell under the 70% quota and that the Complainant did not come within the zone of consideration for the relevant vacancy years.

2.3 The Court, however, expressed serious reservations regarding the Respondents' approach, particularly the operation of a common reservation roster for two distinct methods of promotion. The

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Court observed that where different methods of recruitment exist within promotion, separate reservation rosters are required, and questioned the authority under which PwBD reservation was denied in the 30% departmental examination quota. The Court also sought clarity on the Recruitment Rules, the selection or non-selection nature of the post, and compliance with constitutional and statutory provisions.

2.4 Considering the complexity of the issues and the absence of clear documentary support from the Respondents, the Court held that the matter could not be decided on the basis of oral submissions alone. The Respondents were directed to file detailed written submissions with supporting documents within fifteen days with a copy to the Complainant who may also submit additional details, if any, within a further period of 7 days.

2.5 The Court further indicated that, the Department of Personnel and Training may be associated in the next hearing for policy clarification.

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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