



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
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Case No: 14570/1011/2023

In the matter of—

Shri Abdul Mukhtyar

...Complainant

Versus

The Secretary,
 Railway Board
 Email: secyrb@rb.railnet.gov.in

...Respondent

RECORD OF PROCEEDINGS

- Hearing I:** The matter was listed for hearing on 08.09.2025. However, the hearing could not be conducted and was accordingly rescheduled to 01.10.2025.
- Hearing II:** The matter was again taken up for hearing on 01.10.2025. However, no contact could be established with either of the parties and, therefore, the hearing could not be conducted.
- Hearing III:** A hearing in the hybrid mode was conducted on **23.10.2025**, wherein the following parties were present:

Sl. No	Name & Designation of the Attendees	Complainant/Respondent	Mode of Presence
1	Shri Abdul Mukhtyar	Complainant	Appeared in person
2	Shri Adesh Kumar, Director (Establishment)	Respondent	Online
3	Shri Mahesh Kumar Meena, Assistant Personnel Officer, Railway Recruitment Cell, Northern Railway	Respondent	Online

3.1 The Complainant submitted that he had applied for recruitment under the Persons with Disabilities category on the basis of his disability certificate showing

Visual Impairment. However, during the course of the recruitment process, he was declared medically unfit on the ground that he was a person with multiple disabilities and was consequently denied appointment.

3.2 The Respondent submitted that the Complainant had initially applied under the Blind (Visual Impairment) category and had produced the corresponding disability certificate during document verification. Subsequently, at the stage of medical examination, he was assessed as a person with multiple disabilities and was declared medically unfit for the post concerned. It was further submitted that the post for which the Complainant was considered was not identified as suitable for the disability combination reflected in his subsequent disability certificate.

3.3 The Court observed that two distinct disability certificates exist on record. The earlier certificate issued in 2019 categorised the Complainant as a person with visual impairment, whereas the subsequent certificate categorised him as a person with multiple disabilities. The Court noted that the circumstances leading to the change in disability categorisation require examination before arriving at any conclusion regarding the grievance raised by the Complainant.

3.4 The Court further observed that the issue involved two distinct aspects, namely, whether the post concerned was identified as suitable for the disability category reflected in the Complainant's subsequent disability certificate; and the correctness and validity of the disability certificates issued to the Complainant, particularly the variation in the disability categorisation.

3.5 In view of the above, the Court held that no material was available at this stage to establish discrimination or violation of the provisions of the Rights of Persons with Disabilities Act, 2016 by the Respondent. However, the apparent discrepancy in the disability certificates requires appropriate examination by the competent authority.

4. **Hearing IV:** A hearing in the hybrid mode was conducted on **04.06.2026**, wherein the following parties were present:

Sl. No	Name & Designation of the Attendees	Complainant/Respondent	Mode of Presence
1	Shri Abdul Mukhtyar	Complainant	Absent
2	Shri Mahesh Kumar Meena, Assistant Personnel Officer, Railway Recruitment Cell, Northern Railway	Respondent	Present

4.1 At the outset, the representative of the Respondent submitted that the Complainant's candidature was rejected during the recruitment process as the disability certificate produced at the stage of document verification and medical examination indicated multiple disabilities, whereas the application had been submitted under the Blind (VI) category. It was further submitted that the Medical Authorities had clarified the disability status based on the medical examination and

the candidature was rejected in accordance with the applicable recruitment notification and medical standards.

4.2 The Court observed that, irrespective of the Complainant's candidature, it is necessary to ascertain whether the reservation policy has been duly implemented in respect of the post in question.

4.3 The Respondent was asked to furnish complete details indicating, whether the post against which the complainant had applied has since been filled, if filled, the name/category of the selected candidate; whether the selected candidate belongs to the category of Persons with Benchmark Disabilities, particularly the Visual Impairment category; and details demonstrating compliance with the reservation policy applicable to the recruitment.

4.4 In view of the facts and circumstances of the case, and considering that certain material aspects remain to be examined before the complaint can be finally adjudicated, it is recommended that the Respondent furnish a comprehensive report, supported by relevant documents, indicating:

(i) whether the post against which the Complainant had applied has since been filled and, if so, the name, category and disability status of the selected candidate;

(ii) details of the reservation roster, vacancy position and implementation of reservation for Persons with Benchmark Disabilities in the concerned recruitment, along with supporting records;

(iii) whether the post concerned was identified as suitable for persons with Visual Impairment and/or Multiple Disabilities, together with the relevant identification orders/notifications;

(iv) the medical records and opinion forming the basis for treating the Complainant as a person with Multiple Disabilities during the recruitment process; and

(v) appropriate clarification, wherever necessary, from the competent medical authority regarding the variation between the disability certificates issued to the Complainant and the basis for the change in disability categorisation.

4.5. Accordingly, the Respondent shall furnish the above information within **15 days** from the date of receipt of this Interim Order to this Court and the same shall be sent to the Complainant. The Complainant shall then be enabled to file a rejoinder, against the response received, within **5 days**. Upon analysis of the matter comprehensively in accordance with the provisions of the Rights of Persons with Disabilities Act, 2016 and the response received from both the parties, the Court shall proceed with the final order in the matter. Consequently, the Court has determined no further hearings in the matter are necessary.

(Ipsita Mitra)
Dy. Chief Commissioner

