



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

Diary No. DNO/25/CCPD/5251

Dated: 02/09/2026

Case No: DNO/25/CCPD/5251

In the Matter of

Complainant

Shri Rohit Kumar Mishra

Versus

Respondent(s)

1. The Principal Chief Material Manager, West Central Railway
2. The Senior Material Manager, Katni Loco Shed, West Central Railway

1. Background of the Case

1.1 The Complainant, Shri Rohit Kumar Mishra, submitted a grievance dated 12.12.2025 contesting that he has been serving as a Helper in the office of Sr. DMM, West Central Railway, Jabalpur Division since 27.08.2014. He further submitted that the Hon'ble Supreme Court, vide judgment dated 28.09.2021, directed reservation in promotion for PwBD employees, and that the DoPT O.M. dated 17.05.2022 further mandated retrospective consideration of eligible PwBD employees who were earlier overlooked. He alleged that, despite being eligible for promotion to the post of Junior Clerk, his representation dated 14.10.2024 was rejected vide letter dated 06.10.2025, citing Railway Board's letter dated 31.12.2024, which he contends is inconsistent with the spirit and intent of the Hon'ble Supreme Court's judgment and DoPT instructions.

2. Hearing

2.1. A preliminary hearing was conducted on 12.08.2026 wherein the following parties/representatives were present:

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
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Sl. No.	Name of the Parties / Representatives	On Behalf of
1	Shri Rohit Kumar Mishra	Complainant
2	Shri Vitthal Pandey, Senior Manager	Respondent 2

3. Record of Proceedings

3.1 During the proceedings, the Complainant reiterated his grievance whereas the Respondent, West Central Railway, submitted that the matter regarding promotion of eligible PwBD employees was under consideration and that, in order to facilitate such promotion, a proposal for creation of supernumerary posts had been initiated. The Respondent stated that a communication had recently been forwarded to the competent authority/PCPO, West Central Railway, seeking creation of the requisite supernumerary posts and that the request had also been forwarded to the Railway Board for consideration.

3.2 The Respondent further submitted that, upon creation of the requisite supernumerary post(s), the Complainant would be considered for promotion in accordance with the applicable rules and instructions. The Court noted the submission of the Respondent that the process for creation of supernumerary post(s) for accommodating eligible PwBD candidates had already been initiated and that the matter had been referred to the competent authorities, including the Railway Board. The Court also noted the assurance given by the Respondent that, upon creation of the requisite post(s), the Complainant would be considered for promotion.

3.3 In view of the submissions made during the hearing, the Court recommends that West Central Railway may take expeditious action for processing and obtaining approval for creation of the requisite supernumerary post(s), wherever permissible under the applicable rules/instructions, so that the claim of the Complainant for promotion may be considered without avoidable delay.

3.4 The Respondent is further recommended to reconsider the Complainant's claim for promotion to the post of Junior Clerk, in accordance with the applicable provisions governing reservation in promotion for persons with benchmark disabilities, the judgment of the Hon'ble Supreme Court dated 28.09.2021, the DoPT instructions dated 17.05.2022, and other applicable Railway Board instructions/orders, after

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completion of the process relating to creation of the requisite post(s). The Respondent may also ensure that the Complainant is informed of the outcome of the process and the decision taken on his claim by a reasoned communication, in accordance with the applicable rules.

3.5 Accordingly, the Court recommends that the Respondent submit an Action Taken Report (ATR) within a period of three months from the date of receipt of these proceedings, in accordance with Section 76 of the Rights of Persons with Disabilities Act, 2016, indicating the action taken on the recommendations contained herein, including the status of creation of the requisite supernumerary post(s) and consideration of the Complainant's claim for promotion. Consequently, the Court has determined no further intervention necessary.

4. Accordingly, the case is disposed of.

Yours faithfully,

**(S. Govindaraj)
Commissioner**

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