



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/26/CCPD/6372

Dated: 06/09/2026

Case No: DNO/26/CCPD/6372

In the Matter of

Complainant

Shri Prahalad Gurjar

Versus

Respondent(s)

1. The Chairman, Staff Selection Commission
2. The Secretary, Ministry of Personnel, Public Grievances and Pension

1. Background of the Case

1.1 The Complainant, Shri Prahalad Gurjar, a person with benchmark locomotor disability, submitted a grievance dated 13.07.2026 stating that he appeared in the SSC CHSL Examination, 2023 under the PwD category and was provisionally selected. He stated that he appeared for document verification on 15.05.2024 for the post in the Enforcement Directorate. However, his candidature was rejected on the ground that his scribe possessed a higher educational qualification. The complainant alleged that there is no rule prohibiting a scribe from having a higher qualification and that the rejection is contrary to the DoPT Office Memorandum dated 29.08.2018, the Rights of Persons with Disabilities Act, 2016, and the judgment of the Hon'ble Supreme Court in Vikash Kumar v. UPSC (2021). He further submitted that he possesses the document verification letter, admit card, and rejection letter in support of his claim. The Complainant also alleged that SSC and DoPT have failed to fill the backlog vacancies reserved for persons with disabilities from 2017 to 2023 as required under Section 34 of the RPwD Act, 2016. The complainant has requested the Chief Commissioner to direct SSC to allot him a post under the PwD category with all consequential

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benefits, quash the rejection of his candidature, fill the backlog vacancies for persons with disabilities, allot him a suitable post if the Enforcement Directorate post cannot be offered, and grant compensation for the alleged harassment.

2. Hearing

2.1. A preliminary hearing was conducted on 17.08.2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Prahalad Gurjar	Complainant
2.	Shri Sandeep Saxena, Director	Respondent 2

2.2 No representatives on behalf of Respondent No. 1 were present during the proceedings.

3. Record of Proceedings

3.1 During the proceedings, the Respondent, represented by Shri Sandeep Saxena, Director, DoPT, submitted that the instructions relating to scribes had been issued by the Department of Empowerment of Persons with Disabilities (DEPwD), being the nodal Department in respect of matters concerning persons with disabilities. It was submitted that the applicable instructions provide that the educational qualification of the scribe should be one level lower than that of the candidate. The Respondent stated that the Office Memorandum relied upon by the Complainant had also been issued by DEPwD and that the same requirement was reiterated in the subsequent instructions issued in 2022 pursuant to the judgment of the Hon'ble Supreme Court in *Vikash Kumar v. UPSC*.

3.2 With regard to the allegation concerning backlog vacancies, the Respondent submitted that instructions had been issued from time to time requiring each Ministry/Department/organisation to designate a Liaison Officer, at least of the rank of Deputy Secretary, to ensure implementation of the reservation policy for persons with disabilities and to report any lapse in implementation to the Secretary of

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the concerned Ministry/Department. The Court noted the submission made by the Respondent in this regard.

3.3 The Respondent 2 further submitted that the DEPwD had subsequently issued guidelines dated 10.08.2022 pursuant to the judgment of the Hon'ble Supreme Court in *Vikash Kumar v. Union Public Service Commission*. The Court noted that the said 2022 guidelines primarily concern persons with specified disabilities covered under Section 2(s) of the Rights of Persons with Disabilities Act, 2016, including persons having less than 40% disability who have difficulty in writing, and provide for access to a scribe and/or compensatory time subject to the prescribed conditions. The Court further noted that the judgment in *Vikash Kumar* principally concerns the entitlement to reasonable accommodation, including access to a scribe, and that the one-level-lower qualification requirement in the present case flows from the applicable DEPwD Guidelines dated 29.08.2018 and not from the judgment itself.

3.4 The Court observed that, in the present case, the Complainant has himself stated that the scribe engaged by him possessed a higher educational qualification than his own. The Court noted that Clause VI of the DEPwD Guidelines dated 29.08.2018 specifically prescribes that, where a candidate brings his/her own scribe, the qualification of the scribe should be one step below that of the candidate. Accordingly, the Complainant's contention that there was no applicable restriction concerning the relative educational qualifications of the candidate and his own scribe was not borne out by the applicable guidelines.

3.5 The Court further observed that the judgment of the Hon'ble Supreme Court in *Vikash Kumar v. Union Public Service Commission* cannot, in itself, be construed as invalidating the applicable administrative guidelines governing the eligibility and qualification of scribes. The judgment is principally concerned with ensuring reasonable accommodation and access to scribes for persons with disabilities, whereas the specific requirement concerning the educational qualification of an own scribe emanates from the applicable DEPwD Guidelines.

3.6 The Court further noted that the Respondent had clarified the position regarding the applicable scribe guidelines and had also referred to the subsequent instructions issued pursuant to the judgment in *Vikash Kumar*. Upon consideration of the submissions of the parties, the Court found no prima facie merit in the principal allegation raised by the Complainant and determined no further intervention necessary in the matter.

4. Accordingly, the case is disposed of.

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Yours faithfully,

**(S. Govindaraj)
Commissioner**

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