



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/6036

Dated: 03/09/2026

Case No: DNO/26/CCPD/6036

In the matter of:

Complainant

Shri Himanshu Kabra

Versus

Respondent(s)

The Chairman, Coal India Limited (CIL)

1. Gist of the Complaint

1.1 The Complainant, Shri Himanshu Kabra, a person with benchmark blindness, filed a complaint dated 25.03.2026 regarding non-compliance with statutory PwD reservation during the departmental promotion/recruitment exercise from non-executive to executive category (HR discipline) under Notification No. 02/2025 issued by Coal India Limited (CIL). The Complainant secured 130 out of 200 marks in the Computer Based Test (CBT) and possesses relevant experience in Western Coalfields Limited (WCL). The Complainant submitted that despite 6 vacancies being reserved for Visually Impaired (VH) candidates, his name was omitted from the recommended list issued on 15.03.2026 without publishing category-wise details or cut-off marks. Alleging discrimination and lack of transparency, the Complainant sought directions for disclosure of category-wise selection details and inclusion of his name if found eligible.

2. Hearing Details

2.1. A hearing was conducted on 08.04.2026 in hybrid mode, wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
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1. 2.	Shri Himanshu Kabra	Complainant
	General Manager (HR), Coal India Limited	Respondent

3. Record of Proceedings

3.1 During the proceedings on 08.04.2026, the Complainant reiterated his grievance regarding the omission of his name from the recommended list despite securing 130 out of 200 marks in the CBT and meeting the experience requirements.

3.2 The Respondent, Coal India Limited, submitted that out of 142 advertised vacancies in the HR discipline, a recommended list of 139 candidates was published. The Complainant passed the CBT and was shortlisted in a 1:3 ratio for DPC scrutiny. However, during document verification, it was found that the Complainant possessed a "Diploma in Industrial Relations and Personnel Management" obtained in 2013, whereas the notification strictly mandated a Post Graduate Degree or PG Diploma in HR/IR. Due to the discrepancy in nomenclature between a Diploma and a PG Diploma, CIL withheld one vacancy and sent the candidate's qualification documents for verification to Western Coalfields Limited/the issuing university to confirm whether the qualification is equivalent to a PG Diploma.

3.3 During the hearing, the Commission observed that if 6 reserved vacancies for visually impaired candidates remain unfilled due to a lack of eligible candidates, Coal India Limited ought to consider applying standard relaxations and "reasonable accommodation" as per DoPT guidelines (O.M. dated 15.01.2018) to accommodate qualified PwD candidates like the Complainant. The Respondent was directed to expedite the qualification verification process with the university and submit a formal written report within 30 days detailing its decision on the acceptance or non-acceptance of the Complainant's candidature, along with full justification

4. Respondent's reply to the Notice of Hearing

4.1 The Respondent reply maintains that out of 142 advertised vacancies in the HR discipline, 139 candidates were recommended, and one vacancy in the Visually Impaired (VH) category was kept reserved specifically to protect the Complainant's candidature during the verification period. The Respondent submits that although the Complainant passed the Computer Based Test (CBT) and was shortlisted for document

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scrutiny, his credential ("Diploma in Industrial Relations and Personnel Management") required equivalence verification against the strictly prescribed "PG Diploma" criteria set out in the recruitment notification. The Respondent asserts that pending clarification from Western Coalfields Limited and the issuing university regarding the exact nomenclature and equivalence of the diploma, the selection decision remains under active process rather than a matter of intentional exclusion or systemic discrimination.

5. Observation and Recommendation

5.1 After observing the submissions of both parties, the Court clarifies that accessibility and reasonable accommodation are not matters of privilege or special consideration, but are fundamental statutory rights and essential mandates designed to ensure an equitable and convenient system for all citizens.

5.2 The Court observes that the Respondent's actions must be evaluated against the statutory framework of the RPwD Act, 2016 read with DoPT O.M. dated 15.01.2018, wherein Section 2(y) mandates reasonable accommodation through necessary and appropriate modifications that do not impose a disproportionate burden to ensure persons with disabilities enjoy their rights on an equal basis with others, and Section 34 guarantees statutory reservation for persons with benchmark disabilities while requiring public sector undertakings to extend relaxed standards and reasonable accommodation to fulfill statutory quotas when adequate candidates meeting general standards are unavailable.

5.3 In view, the primary issue pertains to whether the Complainant's qualification ("Diploma in Industrial Relations and Personnel Management") fulfills the prescribed eligibility criteria of a PG Diploma. The Commission notes that the Respondent (Coal India Limited) has earmarked 6 vacancies for Visually Impaired candidates under Notification No. 02/2025 and has kept one vacancy reserved pending verification of the Complainant's educational qualifications.

5.4 The Court observes that reasonable accommodation through relaxed evaluation standards and administrative flexibility is a statutory, constitutional, and human rights obligation. The absence of explicit procedural choices or minor nomenclature discrepancies cannot be used to deny equal employment opportunities, particularly when the candidate has demonstrated functional capability across preceding stages of the recruitment process. The Court emphasizes that public institutions must proactively empower and enable persons with disabilities by ensuring that selection criteria are fully inclusive.

5.5 The Respondent (Coal India Limited) is advised to complete the verification of the Complainant's diploma qualification from the issuing institute or university on an expedited basis; furthermore, if the

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number of selected PwD candidates falls short of the 6 reserved vacancies for the VH category, CIL shall evaluate the Complainant's candidature by applying relaxed standards and reasonable accommodation in terms of statutory guidelines.

5.6 Accordingly, an Action Taken Report (ATR) or the written submission detailing this justification must be filed with this Court within 30 days from the date of receipt. Failure to do so may compel this Court to initiate action as per Sections 89, and 93 of the Act.

6. Accordingly, the case is disposed of.

Yours faithfully,

**(S. Govindaraj)
Commissioner**

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