



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
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Case No. 14512/1103/2023

In the matter of-

Ms. Rishika Shukla

...Complainant

Versus

The General Manager,
 Northern Railway,
 Baroda House,
 New Delhi
 Email: gm@nr.railnet.gov.in

...Respondent

1. Gist of the Complaint:

1.1 Ms. Rishika Shukla, a person with benchmark locomotor disability, filed a complaint dated 21.09.2023 alleging denial of issuance of an E-Ticketing Photo Identity Card by the office of the Divisional Railway Manager, Lucknow, Northern Railway. She had applied online for a concessional railway pass vide application No. 334165 on 26.05.2023.

1.2 The Complainant further alleged that, during her visit to the Lucknow Railway Office on 21.09.2023, her father, Shri Aditya Kumar Shukla, was allegedly subjected to inappropriate and disrespectful behaviour and threatened by Shri Ram Avadh, Chief Office Superintendent. The Complainant sought appropriate action against the concerned official for the alleged unfair and improper conduct.

2. Notice issued to the Respondents

2.1. A notice dated 29.09.2023 was issued to the Respondent under Sections 75 and 77 of the Rights of Persons with Disabilities Act, 2016 (hereinafter referred to as "the Act"), followed by a final reminder dated 08.11.2023 under Rule 38(2) of the Rights of Persons with Disabilities Rules, 2017 (hereinafter referred to as "the

Rules").

2.2 In its reply dated 06.05.2025, the Respondent stated that a written warning had been issued to Shri Ram Avadh for inappropriate behaviour and that he had been advised to refrain from such conduct in future.

2. Hearing

2.1 The matter was heard in hybrid mode on 31.10.2025. The following parties/representatives were present:

Sl. No.	Name and Designation	Status	Mode
1.	Ms. Rishika Shukla	Complainant	Online
2.	Shri Aditya Kumar Shukla, Father of the Complainant	Complainant's representative	Online
3.	Shri Ramesh Chandra Bairwa, Divisional Personnel Officer, Lucknow, Northern Railway	Respondent's representative	Online

3. Proceedings

3.1 The Respondent has acknowledged inappropriate behaviour on the part of the concerned employee and has stated that a written warning was issued to him.

3.2 The Court takes note of the fact that the incident occurred in a public office while the Complainant was pursuing an entitlement relating to concessional railway facilities available to persons with disabilities. Persons with disabilities approaching public authorities for availing their lawful rights and entitlements are entitled to be treated with dignity, equality and without discrimination.

4. Observation and Recommendations

4.1. The Court is of the considered view that, having regard to the circumstances of the matter and the acknowledgement of inappropriate behaviour by the Respondent, the matter warrants corrective and institutional measures beyond the issuance of a warning, particularly with a view to preventing recurrence of such conduct.

4.2. The incident also underscores the need for greater disability sensitization among officers and frontline personnel dealing with members of the public. An accessible and inclusive institutional environment requires not merely physical accessibility but also respectful, dignified and disability-sensitive interaction with

persons with disabilities.

4.3. The Court further observes that the present proceedings are concerned with the rights and dignity of the Complainant under the Act. The observations made herein shall not be construed as a determination of criminal liability under any penal provision of the Act, including Section 92, for which the statutory ingredients and procedure prescribed by law would necessarily apply.

4.4 In view of the obligations cast upon establishments under the Rights of Persons with Disabilities Act, 2016, including the statutory mandate relating to equality, non-discrimination, dignity and reasonable accommodation, the Court is of the considered opinion that appropriate corrective and sensitization measures are warranted.

4.5. Accordingly, the Respondent-Northern Railway is recommended to examine the conduct of the concerned employee in accordance with the applicable service rules and disciplinary framework and to take such appropriate action as may be permissible in law, including issuance of a formal memorandum/advisory or initiation of appropriate disciplinary proceedings, if warranted, having regard to the facts and circumstances of the case.

4.6 The Respondent-Northern Railway is also **recommended to consider obtaining a written apology/assurance from the concerned employee**, acknowledging the inappropriate conduct and reiterating the commitment to respectful and disability-sensitive interaction with persons with disabilities.

4.7 The Respondent-Northern Railway shall undertake necessary institutional measures to strengthen disability sensitivity, accessibility and compliance with the statutory rights of persons with disabilities within the establishment. In particular, the Respondent shall organize periodic disability sensitization and awareness programmes for officers, supervisory staff, frontline personnel and other employees of the concerned division.

Such programmes shall, inter alia, cover:

1. awareness regarding the Rights of Persons with Disabilities Act, 2016;
2. duties of establishments relating to equality and non-discrimination in terms of the Act;
3. the concept and importance of reasonable accommodation;
4. protection against discrimination, harassment and inappropriate treatment of persons with disabilities;
5. accessibility obligations relating to public buildings, services and

transportation, including the relevant provisions of the Act; and

6. awareness regarding the penal provisions of the Act, including Section 92, and the legal consequences that may arise where the statutory ingredients of such provisions are attracted.

The training programmes shall also emphasize dignified, respectful and inclusive communication with persons with disabilities and promote a barrier-free and rights-based institutional culture.

4.8 The Respondent shall additionally undertake measures for wider awareness, accessibility and effective implementation of disability rights within the establishment, including:

(a) prominently displaying notices, circulars and awareness material in offices and public dealing areas outlining the statutory rights of persons with disabilities and the obligation of employees to maintain non-discriminatory and respectful conduct;

(b) strengthening the internal grievance redress mechanism for disability-related complaints, with provision for their timely consideration and disposal in a fair, accessible and appropriate manner;

(c) ensuring compliance with Section 21 of the Act by formulating and effectively implementing an Equal Opportunity Policy for employees with disabilities;

(d) taking appropriate steps to ensure that workplace practices, communication systems and public interfaces remain accessible and consistent with the dignity, autonomy and equal participation of persons with disabilities; and

(e) ensuring that personnel responsible for dealing with applications and grievances of persons with disabilities are adequately sensitized regarding their statutory rights and the procedures applicable to disability-related entitlements.

4.9 As regards the grievance concerning issuance of the E-Ticketing Photo Identity Card/concessional railway facility, the Respondent shall ensure that the Complainant's pending grievance, if any, is examined expeditiously in accordance with the applicable rules and instructions governing concessional railway facilities for eligible persons with disabilities, and the outcome thereof shall be communicated to the Complainant.

4.10 The aforesaid recommendations are made with a view to securing effective implementation of the statutory mandate contained in the Rights of Persons with Disabilities Act, 2016 and upholding the constitutional principles of equality, dignity

and inclusion.

4.11 In terms of Section 76 of the Act, the Respondent shall inform the Chief Commissioner of the action taken on the aforesaid recommendations within three months from the date of receipt of this Order. The Action Taken Report shall accordingly be furnished within the aforesaid period. In case any recommendation is not accepted, the Respondent shall communicate the reasons for such non-acceptance within the prescribed period, in accordance with Section 76 of the Act.is disposed of.

5. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 19-09-2026
10:39:54

(S. Govindaraj)

Commissioner for Persons with Disabilities