



सत्यमेव जयते
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
5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364
Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

Case No. CCPD/14620/1011/2023

In the matter of —

Shri Pawan Kumar

... Complainant

Versus

Eastern Railway,
Kolkata

... Respondent

1. Gist of the Case:

1.1 Shri Pawan Kumar, a person with a benchmark disability, filed a complaint dated 14/11/2023 regarding his name not appearing in the candidate list for Group D recruitment in Eastern Railway, Kolkata.

1.2 The facts arose in the context of the recruitment process, where the complainant's name was omitted from the approved list despite his eligibility, leading to the denial of employment opportunity.

1.3 Relief sought includes directing the respondent to include the complainant's name in the recruitment list, provide backlog reservation if applicable, and ensure compliance with disability reservation norms.

2. Notice issued to the Respondents:

In exercise of the powers conferred under sections 75 and 77 of the Rights of Persons with Disabilities Act, 2016 [hereinafter referred to as “the Act”], a notice dated 15/11/2023 was issued to the respondent for violation under sections 33 and 34 of the Act, requiring comments on affidavit on the complaint within the statutory time limit. A final reminder was issued on 23/02/2024.

3. Reply filed by the Respondents:

3.1 The respondent filed a reply dated 12/03/2024, stating that the complainant's application was reviewed but not shortlisted due to merit criteria, and denying any violation of reservation policies. An additional reply dated 16/04/2024 reiterated the position, enclosing recruitment records.

4. Notice to Complainant for Rejoinder:

A copy of the reply filed by the respondent was forwarded to the complainant vide letter dated 03/04/2024 for filing his rejoinder within 15 days.

5. Rejoinder filed by the Complainant:

5.1 The complainant filed a rejoinder dated 23/04/2024, contesting the respondent's merit-based exclusion as discriminatory and highlighting non-compliance with reservation quotas for persons with disabilities.

6. Hearing and Proceedings:

6.1 A hearing was conducted in hybrid mode on 16.12.2025, wherein the following were present:

Sl. No.	Name & Designation of the Attendees	On behalf of	Mode of Presence
1.	Shri. Pawan Kumar	Complainant	Online
2.	Ms. Sucharita Das, Chairperson, Railway Recruitment Cell	Respondent	Online

6.2 During the hearing, the Respondent explained the sequence of medical examination and verification. It was submitted that the initial medical examination conducted at the Railway Hospital on 15.03.2024 indicated that the visual findings did not corroborate the disability certificate submitted by the Complainant. Thereafter, pursuant to the Central Administrative Tribunal's directions, the

Complainant was referred to the All India Institute of Medical Sciences (AIIMS) for further evaluation. During the course of examination, cataract surgery was advised, following which re-evaluation was undertaken. As per the final report issued by AIIMS dated 11.06.2025, it was stated that the “percentage of visual disability cannot be certified, as the current vision does not correlate with the clinical findings.” In view of the said medical opinion, the Respondent submitted that the Complainant could not be considered for allotment under the disability category.

6.3 The Complainant informed that he had subsequently undergone surgery and was presently employed in the BCG Vaccine Laboratory. He nevertheless pursued the present matter for its resolution and expressed his willingness to withdraw the complaint.

6.4 The Court took note of the submissions made by both sides, including the medical evaluation placed on record and the Complainant’s expressed willingness to withdraw the complaint.

7. Observation and Recommendations

7.1 The Court noted that, during the course of the proceedings, the Complainant was subjected to medical evaluation, including evaluation at AIIMS pursuant to the directions of the Central Administrative Tribunal. The final medical report dated 11.06.2025 stated that the percentage of visual disability could not be certified as the current vision did not correlate with the clinical findings.

7.2 The Complainant has since secured alternative employment and expressly stated willingness to withdraw the complaint. No subsisting grievance remains for adjudication; therefore, no intervention is warranted.

8. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 24-09-2026
10:19:32

(S. Govindaraj)
Commissioner for Persons with Disabilities