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

Case No. CCPD/16694/1041/26 **Dated:** 05/10/2026

Notice u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016

Case No: CCPD/16694/1041/26

To,

The General Manager,

Northeast Frontier Railway

Email: gm@nf.railnet.gov.in …**Respondent**

Sub: Notice to file comments in the complaint dated 18-08-2026 of Shri Himanshu Pal, a person with 60% Low Vision regarding alleged denial of scribe and compensatory time facility during RRB Group D examination by Northeast Frontier Railway

Madam /Sir,

I am directed to enclose a copy of documents related to the complaint dated **18-08-2026** of **Shri Himanshu Pal**, a person with **60% Low Vision,** on the above-mentioned subject, which is self-explanatory.

2. And whereas, a preliminary was conducted on 24.09.2026 in Case No. DNO/26/CCPD/6763, wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Himanshu Pal	Complainant

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2.	Shri Timothy T Gonmei, GM (Personnel), Northern Frontier Railway	Respondent

2.1 Whereas, the Complainant, Shri Himanshu Pal, a person with 60% low vision, submitted that he appeared for the Railway Recruitment Board Group-D Examination, CEN No. 09/2025, held on 12.08.2026 in Shift-II at Varanasi. He stated that he reached the examination centre with a valid Government-issued UDID card and his eligible scribe; however, the officials at the examination centre refused to allow him to appear with the scribe and compensatory time, stating that such facilities were available only to candidates with 100% disability. He further submitted that his UDID card and scribe-related documents were not accepted and he was asked to leave the examination centre. He also alleged that another candidate with 40% disability was permitted to appear with a scribe at the same examination centre on 17.08.2026, whereas he was denied the same facility. The Respondent submitted that the Complainant had been issued an admit card by the Railway Recruitment Board, including provision for a scribe, and that the Respondent was presently unable to ascertain the circumstances in which he was not permitted to appear in the examination. The Respondent stated that the matter would require verification from the concerned Railway Recruitment Board and examination centre.

2.2 The Court observed that lack of familiarity of examination-centre officials with the applicable rules cannot constitute a justification for denial of prescribed facilities, and that the personnel entrusted with conducting examinations ought to be adequately sensitised and apprised of the applicable rules and regulations. The Court took serious note of the allegation that the Complainant, despite having indicated his requirement for a scribe in the application and admit card and having appeared with his scribe, was allegedly denied the opportunity to take the examination and asked to leave the examination centre. The Court admitted the matter for regular proceedings and recommended that the Respondent conduct a serious inquiry into the circumstances leading to the denial of the Complainant's opportunity to appear in the examination and identify the person(s)/authority responsible, and submit the outcome of such inquiry to the Court within 15 days. The Court further recommended that, if the allegations are found to be substantiated, the Respondent examine and propose an appropriate remedial measure for the Complainant, including re-examination or any other suitable relief/compensation, as may be permissible.

3. Whereas Section 3 of the Rights of Persons with Disabilities Act, 2016, hereinafter referred to as "the Act", provides as under:

> *"3. (1) The appropriate Government shall ensure that the persons with disabilities enjoy the right to equality, life with dignity and respect for his or her integrity equally with others.*
> *(2) The appropriate Government shall take steps to utilise the capacity of persons with disabilities by providing appropriate environment.*
> *(3) No person with disability shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.*

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(4) No person shall be deprived of his or her personal liberty only on the ground of disability.
(5) The appropriate Government shall take necessary steps to ensure reasonable accommodation for persons with disabilities."

4. And whereas Section 21 of the Act mandates that every establishment shall notify an Equal Opportunity Policy as prescribed under Rule 8 of the RPwD Rules, 2017, and shall register a copy with the Chief Commissioner.

5. And whereas Section 23 of the Act makes it mandatory for every government establishment to appoint a Grievance Redressal Officer and inform the Chief Commissioner about such appointment.

6. And whereas Section 75 (1) (a) and (b) of the Act mandates the Chief Commissioner to inter alia identify, suo motu or otherwise, the provisions of any law or policy, programme and procedures, which are inconsistent with the Act and to look into complaints inter-alia, concerning matters relating to deprivation of rights of persons with disabilities either on his own motion or on the application of any aggrieved person and recommend necessary corrective steps.

7. And therefore, you are hereby advised to forward your comments on the Complaint on an **affidavit** signed by an officer of an appropriate seniority not below the level of Group 'A' officer and to produce all the requisite documents upon which you base your Comments or Claim and where you rely on any other document as evidence in support of your comments or claim, you shall enter such documents in a list to be annexed to the Comments on Complaint along with action taken in compliance with statutory provisions as mentioned at paras 3 & 4 above, to this Court within **15 days**, failing which, the Complaint may be disposed of ex-parte. **While responding to this notice due care may be taken of relevant provisions of the Act, other statutory provisions, and government instructions such as the ones mentioned above including but not limited to sections 4, 32 of the RPwD Act and Para-IV & Para 1 (IV & XII) of the 'Guidelines for conducting written examination for Persons with Benchmark Disabilities' issued by the Department of Empowerment of Persons with Disabilities (Divyangjan), Ministry of Social Justice & Empowerment vide Office Memorandum No. 34-02/2015-DD-III dated 29.08.2018 read with Corrigendum dated 08.02.2019 and Office Memorandum No. 29-6/2019-DD-III dated 10.08.2022.**

8. A copy of your reply should also be served to the Complainant **via email and by post, and the proof of service be submitted to this Court along with your Reply**. You may also provide additional inputs relevant to the case, if desired. However, it is to be noted that in case any statutory provision, any judgment of a High Court or the Supreme Court, rules formulated under any statute, Office Memorandum, or bye-law is relied upon, you shall attach a copy of the same along with your comments on the Complaint.

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The Complainant may file his rejoinder, if any, to this Court within 07 days with a copy to the Respondent(s).

Yours faithfully,

(VIKAS TRIVEDI)
Dy. Chief Commissioner

Copy to:

1) **HIMANSHU PAL**
BHISAUDI NEWDANDI
CHANDAULI, UTTAR PRADESH, 232101
Hpstudentholkar@gmail.com
9793122502

Enc. Copies:

1) Disability Certificate
2) Case Document - 1