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/16662/1013/26 **Dated:** 05/10/2026

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

Case No: CCPD/16662/1013/26

To

The Secretary,

Ministry of Railways

Email: secyrb@rb.railnet.gov.in **...Respondent (1)**

The Chairman,

RRB Kolkata

Email: kolrrb@gmail.com **...Respondent (2)**

Sub: Notice to file comments in the complaint dated 30-07-2026 of Shri Pritam Dutta, a person with 55% Locomotor Disability regarding non-acceptance of online application for Technician Grade III posts under CEN 02/2026 due to portal/matrix error

Madam /Sir,

I am directed to enclose a copy of documents related to the complaint dated **30-07-2026 of Shri Pritam Dutta, a person with 55% Locomotor Disability** on the above-mentioned subject, which is self-explanatory.

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2. And whereas, a preliminary was conducted on 10.09.2026 in Diary No. DNO/26/CCPD/6623 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Pritam Dutta	Complainant
2.	Advocate Sudesh Pal Malik, Sr. Penal Counsel	Respondent
3.	Shri M P Lipin Raj, Member Secretary, RRB TRIVANDRUM	Respondent

2.1 **And whereas**, the Complainant, Shri Pritam Dutta, a person with 55% locomotor disability in one arm and possessing an ITI qualification in Electrician trade, submitted that under RRB CEN No. 02 of 2026, he was eligible for the posts of Technician Grade III Signal and Workshop Electrical. However, while filling the online application, the RRB portal displayed him as “not eligible” upon selection of “one arm” under the locomotor disability category and did not permit him to submit the application. He further submitted that he approached the RRB Kolkata office on 29.07.2026, being the last date for submission of applications, but his application was not accepted manually. He was informed that “one arm” was not specifically reflected in the eligibility matrix. The Complainant alleged that the same constituted a technical error in the RRB portal which deprived him of the opportunity to apply for the concerned posts, and requested that the technical issue be rectified, his application be accepted, and eligible candidates with one-arm disability be permitted to apply for the said posts.

2.2 **And whereas,** the Respondent, appearing on behalf of RRB, sought time to file a response. The Hon’ble Commissioner observed that notice had already been issued to the Respondents on 03.09.2026 and, upon consideration of the grievance, directed the Respondent to submit a written response within fifteen (15) days addressing the issue, including justification for the eligibility restriction reflected on the portal and, if the exclusion was inadvertent, the readiness to rectify the position by issuing a

corrigendum/corrigenda as may be required. The Respondent was accordingly granted fifteen (15) days to submit its response, whereafter the hearing was closed.

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.*
> *(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 and shall register a copy of the same 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 to 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** from the date of issue of this communication,

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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 and including but not limited to sections 33 and 34 of the Act; DoPT OM No. 36035/02/2017-Estt (Res) dated 15.01.2018; and Gazette Notification No.38-16/2020-DD-III dated 04.01.2021 issued by DEPWD/MSJE.**

8. A copy of your reply should also be served to the Complainant **via email and by post**. You may also provide additional inputs relevant to the case, if desired. However, it is to be informed 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. The Complainant may file his rejoinder, if any, to this Court within **15 days** with a copy to the Respondent(s).

Yours faithfully,

(VIKAS TRIVEDI)
Dy. Chief Commissioner

Copy to:

1) **Pritam Dutta**
vill-karori, p.o-sadya vill-karori, p.o-sadya
PURBA BARDHAMAN, WEST BENGAL, 713407
duttapritm22@gmail.com
6295374769

Enc. Copies:

1) Disability Certificate
2) Case Document - 1