



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
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Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

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

Case No: CCPD-OF-0055/1015/2026

To,

The Secretary
Union Public Service Commission (UPSC)
Email – secyoffice-upsc@gov.in

... (1)

The Joint Secretary,
Department of Empowerment of Persons with Disabilities
Email - wb113@ifs.nic.in

... (2)

Sub: Notice to file comments in the complaint dated 17-08-2026 of Ms. Neelam Sahni, a person with 40% Locomotor Disability due to infantile hemiplegia, regarding unlawfully declared medically unfit and identification of posts.

Madam /Sir,

I am directed to enclose a copy of documents related to the complaint dated **17-08-2026** of **Ms. Neelam Sahni**, a person with **40% Locomotor Disability due to infantile hemiplegia** on the above-mentioned subject, which is self-explanatory.

2. And whereas, a preliminary was conducted on 17.09.2026 in Diary No. CCPD-AD-0170/2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Ms. Neelam Sahni	Complainant

No representatives on behalf of the Respondent were present during the

proceedings.

2.1 And whereas, the Complainant, Ms. Neelam Sahni, submitted her grievance regarding her eligibility for the post of Principal/Vice Principal pursuant to the relevant UPSC notification. The Hon'ble Commissioner, upon perusal of the notification, observed that the notified eligibility criteria appeared to include candidates with disabilities affecting both legs, as well as candidates with disability affecting one leg and one arm. The Complainant, however, submitted that while applying for the post, the portal mechanically reflected her as "not eligible" upon selection of the relevant disability category, thereby preventing her from proceeding with the application. The Hon'ble Commissioner observed that the discrepancy appeared to require clarification from the concerned authorities and directed that the matter be examined by the Department of Empowerment of Persons with Disabilities (DEPwD) and UPSC. The Complainant was also asked to provide her UDID card/disability certificate for verification.

2.2 And whereas, the Hon'ble Commissioner directed that the matter be taken up on priority and that the concerned authorities, including DEPwD and UPSC, furnish their comments within **15 days**, particularly with regard to the eligibility criteria prescribed in the notification vis-à-vis the category reflected on the application portal. The Complainant was advised to provide the relevant UDID card/disability certificate and other necessary documents through official communication. The Hon'ble Commissioner further directed that the response/comments of the concerned authorities be filed before the Commission and a copy thereof be provided to the Complainant for rejoinder. The hearing was accordingly closed, with the matter to be followed up upon receipt of the requisite responses within the stipulated period. Upon considering the submissions and the issues raised, the Hon'ble Commissioner decided to formally admit the Complaint for regular proceedings.

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

"3. The appropriate Government shall (i) identify posts in the establishments which can be held by respective category of persons with benchmark disabilities in respect of the vacancies reserved in accordance with the provisions of section 34;
(ii) constitute an expert committee with representation of persons with benchmark disabilities for identification of such posts; and
(iii) undertake periodic review of the identified posts at an interval not exceeding three years.

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 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 4 & 5 above, to this Court within **15 days** from the date of issue of this communication, 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.**

7. A copy of your reply should also be served to the Complainant **via email or 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 and forward to this Court within 15 days. The Complainant may file her rejoinder, if any, to this Court within further **15 days** with a copy to the Respondent(s).

(Vikas Trivedi)

Dy. Chief Commissioner

Digitally signed by
Vikas Trivedi
Date: 23-09-2026
21:01:49