



सत्यमेव जयते

न्यायालय मुख्य आयुक्त विकलांगजन  
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES  
विकलांगजन सशक्तिकरण विभाग / Department of Empowerment of Persons with Disabilities  
सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment  
भारत सरकार / Government of India

Case No.539/1021/2013

Dated 07.07.2017

In the matter of:

Shri S.C. Kuttalam Pillai,  
Swathy, CARA-33, Opp. Puzayaoram Flats,  
Chempakassery Temple Road,  
Alwaye, Kerala-683 101

.... Complainant

Versus

Railway Board,  
Through: Secretary,  
Ministry of Railways,  
Rail Bhawan, New Delhi-110001

.... Respondent

Dates of Hearing – 12.01.2017 and 21.02.2017

Present:

None appeared on behalf of the parties

**ORDER**

The above named complainant, a person with locomotor disability filed a complaint dated 04.10.2013 before the Chief Commissioner for Persons with Disabilities under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred to as the 'Act', regarding implementation of Government of India's Circulars/Orders for promotion in respect of employees with disabilities working in Indian Railways.

2. The complainant had submitted that Government of India vide O.M. No.36035/7/95 Estt. Dated 18.02.1997 and 16.01.1998 had issued orders for promoting persons with disabilities in Group 'C' and 'D' posts similar to those of SC/ST employees, but the Railway Board has not yet issued any order/circular in this connection. He also submitted that Hon'ble High Court of Delhi had given orders favouring employees with disabilities working with Railways through a judgement dated 07.12.2007 in Writ Petition (C) Nos.11818 and 13627-28/2004. DoP&T introduced reservation in promotion for persons with disabilities vide Office Memorandum No.36035/8/89-Estt (SCT) dated 20.11.1989 within Group 'D', Group 'D' to Group 'C' and within Group 'C'.

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(कृपया भविष्य में पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखें)  
(Please quote the above file/case number in future correspondence)

2. Though the complainant had not filed specific complaint, however, vide this Court's letter dated 31.01.2014, the matter was taken up with the respondent for submission of his comments. When no reply was received despite reminders dated 04.12.2014 and 28.07.2015, the case was listed for personal hearing on 12.01.2017.

3. None of the parties appeared before this Court during the hearing on 12.01.2017, nor any intimation was received from them. Next date of hearing was fixed on 21.02.2017, but the parties failed to appear before the Court again.

4. In view of the above and in terms of Rule 42(4) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996 the case was dismissed in default.



(Dr. Kamlesh Kumar Pandey)  
Chief Commissioner for  
Persons with Disabilities (Divyangjan)