



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. 5961/1014/2016

Dated: 04/07/2017

In the matter of:-

Shri Anish Kishore Saxena
Flat No. 301, Plot No. 361 R1898
Sector 4, Vaishali-201010
Ghaziabad (U.P.)

Complainant

Versus

Film and Television Institute of India
Through: the Director
No. 11, Telephone Exchange R1899
Law College Road, Deccan Gymkhana
Pune-411004 (Maharashtra).

Respondent

Date of hearing: 09.05.2017

Present:

1. Complainant was present.
2. Ms. Prinyanka Telang and Shri Sandeep Shahare on behalf of the respondent.

ORDER

The complainant, a person with 40% OH permanent disability of cerebral palsy on both lower limbs, filed a complaint dated 17.02.2016 before the Chief Commissioner for Persons with Disabilities under the Persons with Disabilities Act 1995 submitting regarding his non-selection to the two posts of Professor (Screen Play) and Professor (Editing) in Film & Television Institute of India, Pune against their Advt. dated 03.10.2015 under Special Recruitment Drive for persons with disabilities. As he was found eligible for both the posts, he was called for the interview for both the posts on 27.01.2016. In the complaint, he described the ordeal he faced in attending the interview. During the interview, a question was raised on his permanent disability certificate issued by Delhi Administration and the I-card duly signed by SDM, Parliament Street, New Delhi. To his surprise, the Interview Board for both the posts was the same irrespective of two different subjects. Ultimately, he was not selected for both the posts. He requested this Court that FTII, Pune be asked to give appointment to him against one of the posts under reserved category for OH persons. He also submitted his Disability Certificate.

2. The matter was taken up with the respondent vide this Court's letter dated 28.03.2016 to submit his comments along with the details of posts filled since 01.01.1996 in Group 'A' and 'B' in the prescribed format.

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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)



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3. The respondent vide his letter dated 25.04.2016 submitted the comments along with the requisite information. It was intimated that the complainant neither produced the experience certificate as per the interview call letter nor latest disability certificate and as such he was not selected for both the posts i.e. Professor (Screen Play) and Professor (Editing). They further intimated that all interviews conducted in FTII are held in the Conference Hall of FTII which on the first floor. However, a day before the date of interview, it was decided to conduct the interview in the Director's office which is on the Ground Floor. The venue was changed as the complainant was a person with disability and ground floor would be more comfortable. FTII tried to communicate the change to the complainant over his mobile phone but the same was not reachable. A message to main gate was kept in this regard but due to some or the other reasons, the same could not be passed to the complainant. At the time of the interview, the complainant was asked to produce (1) experience certificate and (2) latest Disability Certificate. However, he did not produce or submitted the same. The complainant was not selected on this ground also.

4. Upon considering the replies of the respondent dated 25.04.2016 and the complainant's email dated 05.05.2016 and letter/email dated 17.05.2016, a hearing in the matter was fixed for 09.05.2017.

5. During the hearing on 09.05.2017, the Court directed the complainant to produce the experience certificate and the latest Disability Certificate, he could not produce the same. During the hearing, the representatives of the respondent produced copies of the Reports of the Selection Committee for the post of Professor of Screen Play Writing and the Professor of Editing which were taken on record. For both the posts, the complainant was not found suitable accordingly.

6. The Court after hearing both the parties directed that there is no violation of any provision of the Persons with Disabilities Act, 1995 and the matter is accordingly disposed off.

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