



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. 6113/1014/2016

Dated: 01 August, 2017

In the matter of:-

Shri Ameen Khan R 2861  
B - 268, Balveer Vihar  
Street No. 14, Kirari  
Suleman Naqar, Delhi - 110086

Complainant

Versus

Ministry of Railway R 2862  
Through the Secretary  
Railway Board, Rail Bhawan  
New Delhi

Respondent No. 1

Northern Railway R 2863  
Through the Divisional Railway Manager  
State Entry Road, Pahar Ganj, New Delhi

Respondent No. 2

Dates of Hearing: 22.05.2017 & 01.08.2017

Present on 01.08.2017:

1. Shri Ameen Khan, Complainant
2. Shri Iranus Turkey, DPO and Shri Rameswar on behalf of Respondent.

ORDER

The above named complainant Shri Ameen Khan filed complaints dated 22.03.2016 and dated nil (received in this Court on 13.04.2016) under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995, hereinafter referred to as the Act regarding harassment for joining the post and in work allocation to the post of Safaiwala in Railways.

2. The matter was taken up with both the respondents vide this Court's letter dated 20.05.2016 under Section 59 of the contemporary Act. Both the respondents did not offer comments despite reminder dated 13.07.2016. According, the matter was listed for hearing on 22.05.2017. On the day of hearing on 22.05.2017, the complainant and the respondent both were absent. Therefore, complainant as well as respondents were being given another opportunity to appear in this Court on 01.08.2017.

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(Please quote the above file/case number in future correspondence)



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**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES**  
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3. During the hearing, written submissions made to the court by both the complainant and the respondent and were taken on record. In written submission, respondent vide letter dated 31.07.2017 has inter-alia submitted that Shri Ameen Khan, s/o Akhlesh Khan was issued an appointment letter for the post of wireless Khalasi. After the issuance of appointment letter, it had come to the notice of the respondent that revised instructions have already been issued under P.s. No. 14347/15 pursuant to the order dated 21.12.2014 of Hon'ble High Court of Delhi wherein against point 05, it is clearly mentioned that the "post of Khalasi Helper in Civil Engg, Electrical, Mechanical, Signal & Telecom departments cannot be identified suitable for the persons with visual impairment since the post involve line operations and train operations. Keeping in view of the instructions, for candidates of visual impairment/Low vision/Blind, the appointment letter for original category was withdrawn/cancelled and fresh appointment letter as Safaiwala (Medical) was issued. During the hearing, complainant has requested to change his post category from Safaiwala to Hospital Attendant.

4. After hearing both parties, it was opined by this Court that there is no violation on the part of the respondent. Notwithstanding, the above, this Court however, advises the respondents to consider the request of the complainant to change his post category from Safaiwala to Hospital Attendant, if possible.

5. The case is accordingly disposed off.

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