



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.6453/1011/2016

Dated: 20 July, 2017

In the matter of :

Shri Pratik Hanmant Nikam,
C5, Premraj Residency, R 2208
Anand Nagar, Old Sangvi
Pune - 411 027 (Maharashtra)

Complainant

Versus

Directorate General of Supplies and Disposals R 2209
Through the Director General (Supplies & Disposals)
Jeevan Tara Building, 5, Sansad Marg
New Delhi-110001.

Respondent No. 1

Ministry of Commerce R 2210
Through the Secretary
Directorate General of Supplies & Disposals
Department of Supply Division
5, Jeevan Tara Building, Parliament Street
New Delhi-110001

Respondent No. 2

Date of hearing: 22.05.2017

Present:

1. Complainant absent.
2. Shri Aman Sharma, Director, DGS&D and Shri A.K. Nandy, Dy. Director, DGS&D

ORDER

Shri Pratik Hanmant Nikam, complainant with 40% visual impairment sent an email dated 23.05.2016 before the Court of Chief Commissioner for Persons with Disabilities under Section 59 of the Persons with Disabilities Act, 1995 regarding identify the post of Assistant Director Grade - I for visually impairment persons.

2. The matter was taken up with the DGS&D and Ministry of Commerce vide this Court's letter dated 22.08.2016 and followed by reminder dated 07.10.2016.

3. Ministry of Commerce & Industries vide letter dated 21.10.2016 submitted that DGS&D is currently in the midst of a major organizational restructuring, as per the directions of the Government, and as such it is not possible for DGS&D to identify specific posts of Assistant Director (AD) for persons with disabilities (PwDs). The same shall be done subsequent to the completion of organizational restructuring of DGS&D.



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4. Department of Commerce (Supply Division), DG&SD vide letter dated 19.12.2016 submitted that both Indian Supply Service (ISS) and Indian Inspection Services (IIS) are under the administrative control of Department of Commerce (Supply Division), Ministry of Commerce & Industry.

5. The complainant vide his rejoinder dated 31.10.2016 submitted that low vision candidates have very less opportunities in technical field and such opportunities in DGS&D shall not be denied to these candidates. He requested to direct DGS&D to identify and reserve the posts of ISS an IIS for low vision candidates.

6. On perusal of the information furnished by Ministry of Commerce & Industries, Department of Commerce (Supply Division) regarding details of vacancies filled since 1996, it was seen that in Group 'A' 23 vacancies were filled up, but no vacancy was filled by persons with disabilities. As per para 15(6) of DoP&T's O.M. dated 29.12.2005, points 1, 34 and 67 of the roster shall be earmarked reserved for persons with disabilities. Thus, there appeared violation of para 15(6) as no vacancy was filled by persons with disabilities.

7. Upon considering the reply filed by respondent No.1 vide letters dated 21.10.2016 and 19.12.2016 and the complainant's emails dated 10.11.2016 and 14.11.2016, a hearing in the matter was scheduled on 22.05.2017.

8. During the hearing, the complainant sent an email intimating that his representative would attend the hearing and asked for some additional time to reach CCPD office. The Court waited for the representative of the complainant to attend the hearing but after waiting for a half an hour or so, he did not come and the hearing started.

9. During the hearing, the representatives of the respondent submitted a Press Clipping of Press Information Bureau dated 12.04.2017 which was taken on record. It was intimated that the Cabinet has approved setting up of a Special Purpose Vehicle to be called Government e-Marketplace (GeM SPV) as the National Public Procurement Portal as Section 8 Company registered under the Companies Act, 2013 and has decided to wind up DGS&D functions with effect from 31st October, 2017. As such, there will be no further recruitment for Indian Supply



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Service and Indian Inspection Services. Further, there is no scope for continuing with the case and the same may be closed.

10. The Court after going through the Press Clipping and the submissions of the respondent directed to close the case.

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