



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. 6745/1014/2016

Dated:- 17.01.2017

In the matter of:

Shri Hemant Shukla, *D/SB*  
C-525, BETA-1,  
Greater Noida, Gautam Budh Nagar,  
Uttar Pradesh – 201308

..... Complainant

**Versus**

Directorate General Border Roads,  
Through the Commandant,  
GREF Centre, Dighi Camp, *D/SB*  
Pune – 411015 (Maharashtra)

..... Respondent

**Date of hearing : 22.12.2016**

Present :

1. Sh. Hemant Shukla, Complainant.
2. Sh. G.S. Naroosa, Jt. Director, on behalf of the Respondent.

**ORDER**

The above named complainant, a person with 40% locomotor disability filed a complaint dated 08.08.2016 before the Chief Commissioner for the Persons with Disabilities under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred to the 'Act' regarding non issue of Offer of Appointment for the post of Lower Division Clerk.

2. The complainant submitted that he was selected for the post of LDC on merit basis through the Combined Higher Secondary Level Examination conducted by the SSC and his dossier alongwith three other candidates was forwarded to Border Road Organization, Pune for issuance of offer of appointment by SSC. He alleged that till date he has not received any offer of appointment letter from the respondent.

3. The matter was taken up under Section 59 of the Act with the respondent vide this Court's letter dated 22.08.2016

4. The Commandant, GREF Centre vide letter dated 19.09.2016 has inter-alia submitted that SSC had forwarded 09 dossiers in respect of the candidates selected for the post of LDC against PwD quota including the dossier of applicant and same was received by their Centre during February, 2016. Draft call letter for Medical and induction of these candidates in BRO was prepared and forwarded to their higher authorities for their approval, as the case has been referred to Ministry of Social Justice,

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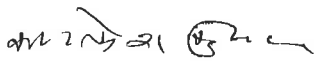
decision on their induction is kept in abeyance. As and when this centre receives the confirmation from their Directorate, these candidates will be called for further induction, but they will have to be get deployed and work in the challenging task and demanding working conditions of BRO. He further submitted that the exemption of the BRO from the purview of Section 33 of the PwD Act, 1995 for recruitment of PH personnel is inescapable and they will carry out further recruitment of PwDs of SSC after approval from Competent Authority.

5. The complainant vide his letter dated nil which was received in Court on 27.09.2016 has submitted that the Department of Border Road Organization are unable to take the proper decision regarding the recruitment of physically handicapped candidate. He informed me that besides few offices like BRO, New Delhi, Pune, Guwahati, Jammu etc., other offices are situated on borders, high altitude area, how such candidate can survive there. There is no administrative meeting held by BRO till date regarding this matter even after expiry of 9 months from the dossier sent by SSC(NR) to BRO Pune and they want to take 2 years more for taking decision. If the Department of BRO do not want to recruit the physically handicapped persons, there is big problem here. They must inform to Staff Selection Commission before examination. SSC assign us other departments. 32 physically handicapped candidates have been selected by SSC through CHSL-2014 Examination, 28 got offer of appointment in the month of March, 2016. Only four are unfortunate. They are still waiting. So please help me to get appointment letter for the above selected post immediately without any further delay.

6. During the hearing on 22.12.2016, the complainant submitted that he has already received the call letter for induction to the post of Lower Division Clerk (PwD quota). Now he has no grievance against the respondent and his case may be closed.

7. The representative of the respondent submitted letter No.12413/PH/DGGBR/38/EG2 dated 22.12.2016 during the hearing, which was taken on record. He further submitted that the complainant Hemant Shukla has been qualified/selected for the post of LDC through Staff Selection Commission against CHSL (10+2) Examination, 2014 and allotted to Border Roads Organization. Dossier of Shri Hemant Shuka (Roll No.2201135645) was received by GREF Centre during February, 2016. As a routine, Call letter for further recruitment process/induction has been issued by GREF Centre vide their letter dated 05.11.2016.

8. After hearing both the parties and perusal of the record, the Court observed that since the complainant has received the induction letter from the respondent and his grievance has been redressed. The case is accordingly disposed off.

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