



**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.978/1011/2014

Dated: 20.10.2016

**In the matter of:**

Shri SGS Sisodia, *DM14*  
General Secretary,  
Indian Association of the Blind  
Email-sgssisodia@gmail.com

Complainant

Versus

Northern Railway,  
Through the General Manager(P), *DM15*  
Headquarters Office,  
Baroda House, New Delhi.

Respondent

Date of Hearing : 06.09.2016

**Present :**

1. Complainant absent.
2. S/Shri S.S.Rana, APO/RRC, Rambabu, OS/RRC & Chander Bhan, on behalf of the Respondent.

**ORDER**

The above named complainant filed e-mail complaint dated 25.01.2014 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 as the 'Act' regarding cancelation of candidature of hundred percent visually challenged candidates by the Railway Recruitment Cell, Lajpat Nagar, New Delhi.

2. The complainant has submitted that Northern Railway had published an advertisement for Group 'D' posts in the year 2012 and visually challenged candidates had applied for the above posts and also appeared in entrance examination. He alleged that after the examination, visually challenged candidates were informed in writing by the Railway Recruitment Cell, Delhi that hundred percent visually challenged persons are not eligible for those vacancies.

3. The matter was taken up under Section 59 of the Act with the respondent vide this Court's letter dated 03.04.2014 followed by reminder dated 17.06.2014

4. The respondent vide letter No.807-E240/pt.XIII/PH/PS/15/RP Cell dated 20.08.2015 informed that regarding complaint dated 18.02.2013 of Shri S. Murgan, General Secretary, All India Central Govt. Deaf Employees Association regarding implementation of the order of DOP&T for Group 'D' and Group 'C' of Indian Railways Employees, the report in the prescribed proforma is sent herewith for kind information please.

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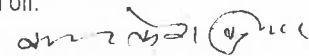
5. On the reply of respondent dated 20.08.2015, a letter was sent by this Court on 31.03.2016 to the respondent inform in that the comments on the issue of non-eligibility of 100% visually impaired persons at the time of examination as alleged by the complainant have not been given. They were advised to submit their comments latest by 13.04.2016, failing which this Court may be constrained to take action under Section 63 of the Persons with Disabilities Act, 1995.

6. As no reply was received from the respondent, a hearing was scheduled on 06.09.2016.

7. During the hearing, none appeared on behalf of the complainant. Nor any intimation has been received about his inability to attend the hearing despite the fact that the copy of the Notice of Hearing was sent on 28.07.2016 by Speed Post. The Court noted with serious concern, the utter disregard shown by the complainant by neither intimating his inability to attend the hearing nor caring to send his version of the case.

8. In response to this Court's Notice of Hearing, Chairman, Railway Recruitment Cell, Lajpat Nagar, New Delhi filed a reply dated 10.08.2016. He submitted that railway Recruitment Cell, Northern Railway issued an advertisement for filling up 7368 Group 'D' posts from Open Market in pursuance of Employment Notification dated 30.08.2012. 3% of the vacancies i.e. 221 posts with 1% each to OH, HH & VH was kept reserved for PwD candidates with stipulation that candidates will be accommodated on identified posts. As no post advertised was identified for Blind (100%) candidature was rejected before the declaration of result though the quota of 1% of VH candidate was to be filled from low vision candidates of VH category. This issue remained a subject matter of litigation and finally concluded with common orders dated 19.08.2014 in Writ Petition No.5111/2014, 5146/2014, 516/2014 and Orders dated 24.12.2014 in RANo.571/2014. These orders were finally complied with by considering all such VH candidates including 100% blind candidates in the selection process. Further, this inclusion of 100% VH candidates in the merit list, the declared cut off for VH low vision candidates was revised from 56.87 to 76.00 (VH including low vision and 100% blind). As such the complaint in the form of e-mail submitted by Shri S.G.S.Sisodia, General Secretary of Indian Association of the Blind holds no ground.

9. After hearing the respondent and perusal of the reply of Chairman, Railway Recruitment Cell, this Court is in the view that the grievance of the complainant has been resolved, no further direction can be issued to the respondent and the case is accordingly disposed off.



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