



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.: 2431/1040/2014

Dated: 01.03.2017

Dispatch No.....

In the matter of :

Shri Amit V. Bhas, **D729**  
S/o Dr. V.S. Vijayendra Bhas,  
T.C.9/43(1), Sarngi Villa,  
Kallampalli,  
Medical College P.O.,  
Thiruvananthapuram,  
Kerala – 695 011

.....Complainant

**Versus**

Union Public Service Commission,  
(Through Secretary), **D730**  
Dholpur House,  
Shahjahan Road,  
New Delhi – 110 069

.....Respondent 1

Department of Personnel & Training **D731**  
(Through Secretary)  
Ministry of Personnel, Public Grievances & Pension,  
AIS-I Section,  
North Block,  
New Delhi – 110 001

.....Respondent 2

**Date of Hearing : 23.12.2016**

**Present :**

1. Complainant not present.
2. Shri Amit Kumar, ASO and Shri Amit Yadav, UPSC – On behalf of Respondent 1
3. None appeared on behalf of Respondent 2

**ORDER**

The above named complainant, a person with 50% cerebral palsy filed a complaint dated 10.07.2014 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred to as the Act, regarding permission to use Lap Top/Computer (using Microsoft Word) to write Civil Services Main Examination and all other descriptive Examinations conducted by the respondent no. 1.

2. The complainant submitted that due to severe writing problem, he requested UPSC to allow him to use Lap Top/Computer with Microsoft Word to write Civil Services Main Examination and all other descriptive Examinations conducted by UPSC.

3. The matter was taken up with the respondent no. 1 and respondent no. 2 under Section 59 of the Act vide letters dated 17.12.2014, 24.03.2015, 07.07.2015 and 16.10.2015 respectively.

4. The Respondent No.1 vide their letter no. 22/10/2011-E.(B) dated 10.02.2015 inter-alia intimated that UPSC conducts examinations on the basis of rules notified by the Government that contain various provisions specific to physically challenged categories and has requested DoP&T to examine the matter on priority basis and communicate the decision taken to the complainant under intimation to this Court.

5. The matter was heard during the hearing held on 21.07.2016. After hearing the parties and considering the request made by the Department of Personnel & Training vide letter No. 22012/16/2016-AIS-I dated 20.07.2016, the Court agreed to the request made by the DoP&T and the case was adjourned for hearing on 08.09.2016.

6. During the hearing on 08.09.2016 the Learned Counsel appearing on behalf of Respondent No.1 submitted that there is a provision for using the scribe in the examinations conducted by the UPSC. The UPSC is providing the facility of scribe and the candidates appearing in the examination can avail the facility of their own scribe. Extra time of 20 minutes per hour is also being provided. The Learned Counsel further submitted that UPSC is an examination conducting agency in accordance with the rules of examination as notified by the Cadre Controlling Authority, i.e. Ministry of Personnel, Public Grievances and Pensions and the case was re-scheduled for hearing on 21.10.2016.

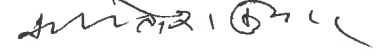
7. During the hearing on 21.10.2016 no one appeared on behalf of the complainant and respondents and therefore, the case was re-scheduled for hearing on 23.12.2016. The complainant vide letter dated 15.10.2016 submitted that he appeared before the court for the first hearing held on 21.07.2016 along with his father. During that hearing he had requested orally before court to exempt him from appearing in the hearings due to his physical conditions and the health problem of his father.

8. The complainant and the respondent no. 2 were not present during the hearing on 23.12.2016. During the hearing the respondent no.1 submitted that it is beyond the domain of UPSC for providing additional facilities to the candidates appearing in examinations. Only DoP&T has the power to do the same.

Contd.. on page 3/-

9. The Court informed that Examination Guidelines of Ministry of Social Justice & Empowerment is already under revision and advised DoP&T and U.P.S.C to provide their versions to the Committee for deliberations and action. The court assured that the matter will be referred by this Court to DoP&T and to Ministry of Social Justice and Empowerment for their consideration.

10. The case is disposed off accordingly.



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