



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. 4808/1014/2015

Dated: 04/07/2017

In the matter of:-

Shri Rathnees V.S.
Santhi Nilayam, Kudavilakam
Nadoorkolla, Chaikkottukonam P.O.,
Trivandrum-695 122.

R1896

Complainant

Versus

HLL Lifecare Limited,
[Through: CS & Senior Vice President (HR)]
HLL Bhavan, Poojappura P.O.,
Thiruvananthapuram-695 012.

R1897

Respondent

Date of hearing: 27.04.2017

Present:

1. Complainant absent.
2. Respondent absent.

ORDER

Shri Ratheesh V.S., complainant with 50% hearing impairment disability submitted a complaint that he was engaged in HLL Lifecare Ltd., as ITI Trainee for a period of 3 years from 30.12.2008 to 29.12.2011 on stipend. His contract was being renewed every year. The company called for a new written test for selection to the post of Worker Trainee on 07.12.2014. 58 persons who were working in the company attended the test and interview held on 18.12.2014. Out of 58 candidates, he was the only candidates with disability but he was not selected. Accordingly, his services were terminated from the post of Production Assistant on 21.03.2015. He requested for appointment as worker trainee in the company at Peroorkada, Trivandrum.

2. The matter was taken up with the respondent vide this Court's letter dated 23.07.2015 under Section 59 of the Persons with Disabilities Act, 1995 to submit their comments in the matter. The respondent vide their letter dated 21.08.2015 intimated that the statements in the complaint are not fully correct and the same are denied. The Company decided to fill up vacancies in the post of Worker Trainee and the vacancy was notified to the Employment Exchange. The Employment Exchanged forwarded the list of candidates and they conducted written test and interview for the post. post of Worker Trainee. The selected list was published and those who were selected were appointed. The selection was held in a transparent manner and no complaints were made by any one with respect to selection. They further submitted that the post for which selection was made



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was not reserved for persons with disabilities. Since the complainant applied for the post on the ground of his disability, he was not selected and accordingly he was not appointed. Hence, there is no merit in the contention of the complaint. However, the complaint was allowed to undergo training under Training and Development Scheme and thereafter he was given Fixed Term Contract appointment. He accepted the appointment knowing fully well that his engagement will come to an end on completion of the period of contract. He was relieved on completion of his contract. There is no illegality on the action of the respondent. Moreover, there is no deprivation of right of the complainant in any manner.

3. The complainant vide his rejoinder dated 31.03.2016 was not satisfied with the reply of the respondent.

4. The respondent vide its letter dated 02.02.2016 intimated this Court that they were implementing Section 33 of the Persons with Disabilities Act, 1995 and giving due reservation and providing jobs to the persons with disabilities. In this regard, they were advised vide this Court's letter dated 27.04.2016 to submit the details of posts filled since 01.01.1996 in Group 'C' & 'D' in the proforma enclosed with the said letter. The respondent vide letter dated 05.05.2016 furnished the requisite data in the prescribed proforma. They further informed that they have already advertised the unfilled posts under Special Recruitment Drive for Persons with Disabilities in the newspapers and the last date for receiving the applications was 30.04.2016.

5. Based on the information furnished by the respondent, the hearing in the matter was scheduled for 27.04.2017. During the hearing on 27.04.2017, both the complainant and the respondent were absent.

6. The complainant on receiving the Notice of Hearing for 27.04.2017 sent a letter dated 17.04.2017 intimating that his complaint was against the written test conducted by the respondent on 07.12.2014 and the interview held on 18.12.2014. Even though he was the only person with disability who attended the test and interview, the respondent did not consider him for the appointment. That is why he submitted his complaints before this Court. The respondent issued fresh notification for written test on 16.04.2016. He also attended the test and selected him for the post of Worker Trainee. He has joined the respondent company as Worker Trainee on 24.12.2016 and continuing in the respondent company under one year probation now. He has sent a copy of letter of appointment. The complainant has further stated that considering his appointment and his

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(कृपया भविष्य में पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखें)



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physical and financial difficulties to attend before the court hearing at New Delhi, he has shown his inability to attend the hearing on 27.04.2017 and requested that the case may be settled.

7. The Court after going through the letter dated 17.04.2017 of the complainant directed that since the grievance of the complainant has been redressed and he has been appointed by the respondent to the post of Worker Trainee, there is nothing left to pursue further in the matter and directed to close the matter.

(Handwritten signature)

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

(Handwritten initials)