



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. 5019/1011/2015

Dated: 19 July, 2017

In the matter of :

Shri S.K. Rungta
General Secretary
National Federation of the Blind
Plot No. 21, Sector – VI
Pushp Vihar, New Delhi.

... Complainant

Versus

Department of Industrial Policy & Promotion
Through the Secretary
Ministry of Commerce & Industry
Udyog Bhawan, New Delhi

... Respondent

Date of hearing: 12.06.2017 & 18.07.2017

Present on 18.07.2017

1. Complainant absent
2. Shri Dayanidhi Joshi, Under Secretary, Shri Anoop Kumar, Under Secretary, Shri Shatrughan Singh, Section Officer and Shri Jitender Kumar Assistant Section Officer on behalf of the Respondent.

ORDER

Shri S.K. Rungta, General Secretary, National Federation of the Blind, New Delhi filed a complaint dated 17.08.2015 before the Court of the Chief Commissioner for Persons with Disabilities (CCPD) under Section 59 of the Persons with Disabilities Act, 1995 against 33 Ministries/Departments of Central Government to rectify the number of filling up of backlog vacancies for persons suffering from blindness and low vision.

2. The Court of CCPD wrote a letter dated 30.09.2015 to the Department of Personnel & Training (DoP&T) as they were holding meetings with Government Departments, to monitor the progress for filling up of 1% vacancies meant for VH for persons with disabilities in compliance with the Orders of the Hon'ble Supreme Court. In case the vacancies meant for VH are not filled up equal to 1% earmarked out of the total backlog vacancies of 3% for persons with disabilities, the reasons thereof, if any, was to be indicated by the respective Departments as well as steps being taken/proposed to be taken in consonance with the provisions of the Persons with Disabilities Act, 1995. DoP&T, a nodal agency for the purpose, was also requested to send a copy of the advertisements of vacancies issued/to be issued in this regard to the office of the CCPD for hosting on the web-portal www.ccdisabilities.nic.in in compliance with the orders of the Hon'ble Supreme Court so that the office of the CCPD continue to associate in the monitoring of the progress of the desired implementation.

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3. CCPD took up the matter vide letter dated 20.11.2015 with 33 Ministries/Departments of Central Government to maintain separate 100 point reservation roster registers in the specified format for determining and effecting reservation for the persons with disabilities. It was requested to forward a copy of reservation roster and copies of the advertisements issued/to be issued for filling up of the backlog vacancies.

4. This Court also organized One day Workshop on 28th February, 2017 at ISTM, New Delhi on Maintaining of Roster System on 3% reservation for Persons with Disabilities under the PwD Act, 1995 and all the Ministries/Departments of the Central Government were requested to direct their official/nominee to attend the workshop.

5. After perusal of the reply dated 29.12.2015 of the respondent in the instant matter, the hearing was fixed on 12.06.2017 and adjourned to 18.07.2017

6. During the hearing on 18.07.2017, the representative of the respondent submitted that now they are maintaining 100 point reservation roster as per the DOP&T's instructions/guidelines and they have also informed that one backlog vacancy reserved for person with disability for the post of MTS has been reported to SSC.

7. The case is disposed off by this Court with a direction to respondent to submit the requisite certification from Liaison Officer within 15 days from the date of receipt of this order and also to:-

- (i) Maintain the Reservation Roster w.e.f. 01.01.1996 as per DoP&T's instructions.
- (ii) Compute the backlog vacancies and fill the vacancies by conducting Special Recruitment Drive in a time framed manner.
- (iii) Ensure that the advertisement should be made as per para 25 of DoP&T's O.M No. 36035/3/2004-Estt.(Res.) dated 29.12.2005 and subsequent OMs issued by DoP&T from time to time in this regard and as per the mandate under Section 34 (I) of the Rights of Persons with Disabilities Act, 2016.



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