



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.854/1011/2014

Dated: 05.09.2016

In the matter of:

Shri Abhishek Singh, ⁰²⁹⁶
DAG/Fund, O/o AG (A&E)-II U.P.,
20, Sarojini Nadu Marg, .
Allahabad, Uttar Pradesh-211001.

..... Complainant

Versus

Ministry of Personnel, Public Grievance & Pensions, ⁰²⁹⁷
Department of Personnel & Training,
Through the Secretary,
North Block, New Delhi-110001.

..... Respondent

Date of Hearing : 15.07.2016

Present :

Complainant and Respondent absent.

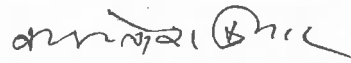
ORDER

The above named complainant, a person with locomotor disability filed an email complaint dated 31.12.2013 before the Chief Commissioner for 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 allocation of Indian Administrative Service.

2. The complainant submitted that he appeared in Civil Services Examination, 2006 conducted by UPSC, New Delhi and on the basis of his performance and preference of the services, India Audit and Accounts Service was allocated to him. Since then he is serving the Indian Audit and Accounts Department. In the meanwhile the manner of computation of vacancies and implementation of scheme of reservation in Civil Services remained sub judice before various Courts and wherein it is ordered by the Courts to DOP&T and UPSC to carry out an exercise to work out the backlog of vacancies in different services and to consider allocation of the services to the suitable applicants as per their choices. UPSC and DOP&T carried out the said exercise as per Court orders and under the LDCP (Locomotor Disability and Cerebral Palsy) category, 04 Nos. of backlog vacancies in India Administrative Service was calculated by UPSC and his name was recommended by UPSC to DOP&T to allocate IAS against one of these 04 backlog vacancies of IAS. Further, based on the recommendation of UPSC, DOP&T provisionally allocated to complainant the Indian Administrative Service by upgrading the Indian Audit and Accounts Service allocated earlier on the basis of his performance in Civil Service Examination 2006. Since then, the complainant is waiting for his appointment in the Indian Administrative Service but unfortunately it did not happen so far.

.....2/-

3. The matter was taken up with the respondent vide this Court's letter dated 04.04.2014, followed by reminders dated 30.05.2014, 20.07.2015 and 27.10.2015.
4. Despite reminders dated 30.05.2014, 20.07.2015 and 27.10.2015, no reply has been received, therefore, a hearing was scheduled on 15.07.2016.
5. During the hearing on 15.07.2016, none appeared on behalf of the parties nor any intimation has been received about their inability to attend the hearing on 15.07.2016, despite the fact that the Notice of Hearing was sent to parties on 30.05.2016 by Speed Post. This Court noted with serious concern, the utter disregard shown by the parties.
6. This Court observed that the complainant is no more interested in pursuing the matter further as neither he appeared before the Court nor has sent his request regarding his inability to attend the hearing. This Court, in the light of Rule 42 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996, dismissed the case in default.
7. Ordered accordingly.



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