

SCPD - 59/2011

Date: 06.07.2012

This is with reference to Case No. SCPD - 59/2011 in the case of Sriyarani Dei who is a person with disability and her grievance before the State Commissioner for Persons with Disabilities (SCPD) is that she was deprived of her legitimate claim for the posting of Sikshya Sahayak. Despite several correspondence made from the office of SCPD in pursuance of the orders passed by the Court, no report was received from the Collector regarding the grievance of Sriyarani Dei. The SCPD held camp court at Puri on 4.4.2012. The DPC and the complainant were present in the camp court.

It was discussed and consensus was reached to the effect that injustice has been done to Sriyarani Dei and she has to be given appointment under reserved category. The DPC wholly and unconditionally accepted the consensus and accordingly order was passed to appoint Sriyarani in the post of Sikshya Sahayak under reserved category.

DPC is a senior and responsible administrative officer. He should have known the importance of his commitment regarding appointment of Sriyarani Deo. But surprisingly he has addressed a letter bearing No. 1846 dated 12.6.2012 to the Registrar SCPD (copy enclosed) stating interalia that there is no vacancy for OH category post under Kakatpur block for appointment of Sriyarani Dei even if she has secured 44.444% of marks. This amounts to misdemeanor of the DPC and his lack of understanding of the Persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995. The facts stated in the letter No. 1846 dated 12.6.2012 could have been presented before the SCPD in the camp court in presence of the complainant so that she would have been allowed to give a rejoinder.

The Court of SCPD observes that the office of DPC, Puri has furnished data (obtained through RTI relating to Case No. 1/2007 which contradicts the averment in this case. It reveals from the information obtained through RTI that out of 32 posts reserved for PWDs in 2006 only 24 posts have been filled up. As the court ordered for appointment of one Mamatarani Shaoo, who has been appointed subsequently, there remains 7 more posts which are not filled up and as such the communication of DPC stating that there is no vacancy is absolutely against the reality and available data.

It is, therefore, directed that Sriyarani Dei must be given appointment without further delay and action taken report be submitted so as to reach to the Court of SCPD by 25.7.2012. Court of SCPD further directs that backlog vacancies from the period from 2001-2006 and selection criteria specifying marks etc. fixed for all reserved and unreserved categories supported with documents be furnished along with the aforesaid action taken report by 25.7.2012.

Inform the complainant.

Sd/-

State Commissioner for Persons with Disabilities

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