

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 7754 of 2017

Date : 30.3.2017

Between :

Janga Anil Sagar S/o J Ramulu  
R/o H No. 2-2-3/C, C-49, Eswar Sadan, DD Colony  
Hyderabad

Petitioner

And

The State of Telangana  
Rep by its Principal Secretary, I & CAD Department  
Secretariat, Hyderabad and others

Respondents

The Court made the following:



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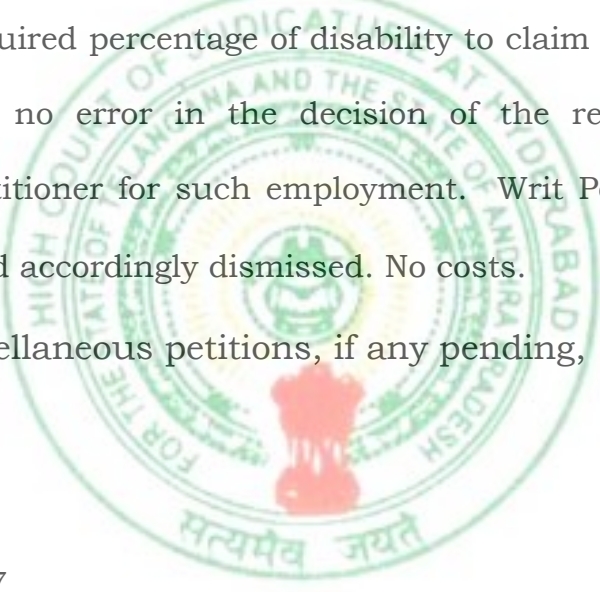
## ORAL ORDER:

Telangana State Public Service issued notification No. 12 of 2015 to make recruitment to the post of Assistant Executive Engineer (Mechanical) in addition to certain other categories of posts. Out of the vacancies notified, one post is earmarked to be filled up by persons suffering from hearing impairment. Petitioner claims that he has hearing impairment; he has competed in the said recruitment and was qualified. Grievance of the petitioner necessitating institution of this writ petition is, though he is qualified and that he has hearing impairment, he is not provided employment against the vacancy reserved for hearing impaired category.

2. Government notified its policy of providing employment and other opportunities to disabled persons vide G.O.Ms No. 31 Women Development, Child Welfare & Disabled Welfare (DW) Department dated 1.12.2009. Through this Government Order, comprehensive instructions are issued on assessment of disabilities and provision of various opportunities for disabled persons including employment opportunities. For a person to be classified as hearing impaired and to get various benefits provided under the Government Order, they are classified into three categories and within second category there are two sub-categories again. Category I is called 'Mild hearing Impairment' where disability level is between 26 to 40 dB in better ear with speech discrimination of 80 to 100% in better ear. Category -II (a) is called 'Moderate hearing' where disability level is between 41 to 60 dB in better ear with speech discrimination of 50 to 80 % in better ear. Category- II (b) is called 'Severe hearing Impairment' where disability level is between 61 to 70 dB in better ear with speech discrimination of 40 to 50 % in better ear. Category III deals with profound hearing impairment and total deafness.

Note appended to the table in Page 3 of Annexure –I to the said Government Order, specifies that persons categorized under Category I and II (a) are not eligible for any benefits. The medical certificate issued by Government ENT hospital discloses that petitioner is assessed to have ‘moderate’ disability. The medical certificate issued by the Government of Telangana also describes the status of the petitioner as ‘Moderate hearing loss’. With the categorization given in G.O. Ms No. 31 dated 1.12.2009, it is clear that petitioner comes under the ‘Moderate hearing impaired’ disability i.e., within category II (a) and therefore he is not entitled to any benefits. Thus, petitioner is not entitled to claim appointment against vacancy reserved for hearing impaired, as he does not have the required percentage of disability to claim such employment. I, therefore see no error in the decision of the respondents in not selecting the petitioner for such employment. Writ Petition deserves to be dismissed and accordingly dismissed. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

DATE: 30.3.2017  
TVK

  
P NAVEEN RAO,J

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