



सत्यमेव जयते

न्यायालय मुख्यायुक्त दवियांगजन

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दवियांगजन सशक्तकरण वभाग (दवियांगजन) / Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार / Government of India

Case No. CCPD/15150/1092/24

Dated: 20/02/2024

Notice u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016

To

The Secretary

Department of Heavy Industries

Udyog Bhavan, Room No 428

New Delhi – 110011

Tel No – 011-23061490

Email – m.subramaniyan@nic.in

**Sub:** Notice to file comments in the complaint dated **13-02-2024** of **Indian Divyang Empowerment Association** requesting for a review of policy for granting GST Exemption on purchase of vehicles to persons with disabilities to include persons with hearing impairment and also classes of vehicles such as SUV, MPV, EVs not covered under the present policy

**Madam /Sir,**

I am directed to enclose a copy of documents related to the complaint dated **13-02-2024** of **Indian Divyang Empowerment Association** on the above-mentioned subject, which is self-explanatory.

2. Whereas Section 3 of the Rights of Persons with Disabilities Act, 2016 hereinafter referred to as “the Act” provides as under:

*“3. (1) The appropriate Government shall ensure that the persons with disabilities enjoy the right to equality, life with dignity and respect for his or her integrity equally with others.*

*(2) The appropriate Government shall take steps to utilise the capacity of persons with disabilities by providing appropriate environment.*

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**

**5th Floor, NISD Building, Plot No.G-2, Sector-10, New Delhi-110075**

**Tele# 011-20892364, 20892275**

**E-mail: ccpd@nic.in**



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*(3) No person with disability shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.*

*(4) No person shall be deprived of his or her personal liberty only on the ground of disability.*

*(5) The appropriate Government shall take necessary steps to ensure reasonable accommodation for persons with disabilities.”*

3. And whereas Section 21 of the Act, mandates that every establishment shall notify Equal Opportunity Policy and shall register a copy of the same with the Chief Commissioner.

4. And whereas Section 23 of the Act makes it mandatory for every government establishment to appoint a Grievance Redressal Officer and to inform the Chief Commissioner about such appointment.

5. And whereas Section 75 of the Act mandates the Chief Commissioner for Persons with Disabilities on his own motion or on the application of any aggrieved person or otherwise to look into complaints inter-alia, concerning matters relating to deprivation of rights of persons with disabilities and laws, policies, program, and procedures, which are inconsistent with the Act and recommend necessary corrective steps.

6. And therefore, you are hereby advised to forward your comments on the Complaint on an affidavit signed by an officer of an appropriate seniority not below the level of Group 'A' officer and to produce all the requisite documents upon which you base your Comments or Claim and where you rely on any other document as evidence in support of your comments or claim, you shall enter such documents in a list to be annexed to the Comments on Complaint along with action taken in compliance with statutory provisions as mentioned at paras 3 & 4 above, to this Court within **30 days** from the date of issue of this communication, failing which, the Complaint shall be disposed of ex-parte. **While answering to this notice due care may be taken of relevant provisions of the Act, other statutory provisions and government instructions such as the ones mentioned above and including but not limited to the ones mentioned above.**

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7. A copy of your reply should also be served to the Complainant **via email and by post and the proof of service be submitted to this Court along with your Reply.** You may also provide additional inputs, relevant to the case, if desired. However, it is to be informed that in case any statutory provision, any judgment of a High Court or the Supreme Court, rules formulated under any statute, Office Memorandum or bye-law is relied upon, you shall attach a copy of the same along with your comments on the Complaint. The Complainant may file his rejoinder, if any, to this Court within 15 days with a copy to the Respondent(s).

**Yours faithfully,**

**Praveen Prakash Ambashta,**  
Dy. Chief Commissioner

**Copy to:**

- 1) **INDIAN DIVYANG EMPOWERMENT ASSOCIATION**  
KAVERY 33-B, 4th Cross 4th Main 100ft Road Gopalagowda Extn , KAVERY  
33-B, 4th Cross 4th Main 100ft Road Gopalagowda Extn  
SHIVAMOGGA, KARNATAKA, 577201  
Indiandivyangempowerment@gmail.com  
9482533747

**Enc. Copies:**

- 1) **Disability Certificate**
- 2) **Aadhaar Card**

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3) Case Document - 1

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