सत्यमेव जयते
न्यायालय मुख्य आयुक्त दिव्यांगजन
COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दिव्यांगजन सशक्तिकरण विभाग/**Department of Empowerment of Persons with Disabilities (Divyangjan)**
सामाजिक न्याय और अधिकारिता मंत्रालय/**Ministry of Social Justice & Empowerment**
भारत सरकार/**Government of India**
5वाँ तल**,** एन.आई.एस.डी. भवन**,** जी**-2,** सेक्टर**-10,** द्वारका**,** नई दिल्ली**-110075** ; दूरभाष **: (**011**) 20892364**
5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364
Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

Case No. 14232/1024/2023

In the matter of —

Dr. Kurmendra **… Complainant**

Versus

The Registrar,
Indira Gandhi National Open University **… Respondent**

Hearing (I):

A hearing was conducted on **16.04.2025 in hybrid mode** (offline/online through video conferencing). The following parties/representatives were present during the hearing:

Sl. No.	**Name and Designation of the parties/ representatives**	**Mode of appearance**
From Complainant:		
1.	Dr. Kurmendra, Complainant	Online
From Respondent:		
1.	Mr Ramsong Nongpiur, Assistant Regional Director, Itanagar, IGNOU	Online

RECORD OF PROCEEDINGS

During the hearing the Complainant reiterated his complaint against Mr Kiron Lonchung, the Coordinator of Study Cente, Itanagar (Arunachal Pradesh) that the Coordinator had falsely without any proof

had intimated to the employer of the Complainant i.e. the Vice Chancellor, Rajiv Gandhi University [RGU], regarding indecorous behaviour of the Complainant; and this act of the Coordinator had torn out his image as a teacher and demolished his reputation in the RGU. On the contrary, the Coordinator and his staff had misbehaved with the Complainant when had had visited the Study Centre to submit assignments of his wife in a personal capacity i.e., a divyang person. The Coordinator had nowhere briefed him about the procedure of the submission of assignments and taking acknowledgements; rather, he used derogatory remarks toward him.

2. In a reply to a question, the Complainant submitted that he had not filed any complaint against the Coordinator before the higher authority of IGNOU. He further replied that he is personally aggrieved in this matter due to the filing of a complaint against him before his employer, the RGU, by the Coordinator.

3. The representative appearing for the Respondent submitted that he had been newly appointed and had just taken charge of the Assistant Regional Director at IGNOU Regional Centre, Itanagar.

4. After hearing the parties, the Court observed that the officer representing the Respondent was not aware of the facts of the case and had appeared in the hearing without the necessary preparation. The Court advised the Complainant to consider filing a separate complaint with the higher authorities of IGNOU regarding the alleged harassment by the Coordinator of the Study Centre, Itanagar and get a response from the IGNOU. If he continues to be aggrieved even after this, he can approach this Court for redressal. Further, the Complainant shall also be free to approach this Court, if he feels harassed subsequent to the filing of his Complaint. The Respondent was also advised to submit to this Court their version in writing.

5. Based on the suggestions made above, the hearing of the case was adjourned by fifteen days and/or till the response is received from the parties, whichever is earlier.

6. The next date of hearing, if required, will be informed later on.

7. This is issued with the approval of the Commissioner for Persons with Disabilities.

Digitally signed by
Praveen Prakash Ambashta
Date: 26-04-2025 10:44:42

(Praveen Prakash Ambashta)
Dy. Chief Commissioner

सत्यमेव जयते
न्यायालय मुख्य आयुक्त दिव्यांगजन
COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दिव्यांगजन सशक्तिकरण विभाग/**Department of Empowerment of Persons with Disabilities (Divyangjan)**
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Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

Case No. 14715/1141/2023

In the matter of —

Mr Deepak Tolaney
Email: geetutolaney@ymail.com **... Complainant**

Versus

(1) The Director
All India Institute of Medical Sciences **... Respondent No.1**

(2) The Director (UDID)
Department of Empowerment of Persons with Disabilities,
Ministry of Social Justice & Empowerment **... Respondent No.2**

Hearing (I):

A hearing was conducted on **22.04.2025 in hybrid mode** (offline/online through Video Conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name and Designation of the parties/representative	Mode of appearance
From Complainant:		
1.	Mr. Deepak Tolaney, Complainant	Physical
2.	Ms Geetu Tolaney for the Complainant	Physical
From Respondent No.1:		
1.	Dr. Pratap Saran, Professor Psychiatry, AIIMS Delhi	Online
2.	Dr. Biswaroop Chakraborty, Addl. Professor Paediatrics, AIIMS	Online

	Delhi	
From Respondent No.2:		
1.	Mr Vineet Singhal, Director, DEPWD/MSJE	Online

RECORD OF PROCEEDINGS

During the hearing, the representative of the Complainant informed the Court that the Complainant was diagnosed mild mental retardation at the age of thirteen years and his IQ level was diagnosedto be 65-70 with 50% disability. He was under treatment at AIIMS, New Delhi, first under the Department of Paediatrics and then under the Department of Genetics. The Complainant was certified as a person with Mental Retardation as per the certificate issued by Prof. Madhulika Kabra and Clinical Psychiatrics Dr. Sabita Sapra which shows behavioural issues including poor social adaptations. The Complainant has several documents which shows him as a person suffering from Mental Retardation. But suddenly, in the year 2018, AIIMS Delhi declared him to be a case of Mental Illness. Due to some administrative changes in AIIMS New Delhi in the year 2018, his case was transferred from the Department of Genetics to the Department of Psychiatry, which issued the certificate showing Mental Illness. The type of disability does not change like this.

2. Again, the AIIMS issued a Disability Certificate on 28.12.2023, showing his disability as Mental Illness. Studies have shown that mental illness is generally diagnosed in adults mostly over the age of 22 years, whereas Mental Retardation is present in childhood itself. In the case of the Complainant, the disability occured at the time of his birth itself and the AIIMS Delhi has been issuing prescriptions and certificates to the Complainant showing him as a case of mental retardation. He possesses all the documents from AIIMS Delhi relating to Mental Retardation. The representative submitted that the Complainant has participated in Special Olympics, the National Games, and was also part of the Special Contingent, which was shortlisted for the Shanghai Olympics. He is weak but not mentally ill.

3. Dr Biswaroop Chakraborty, Additional Professor, Department of Paediatrics, AIIMS Delhi, submitted that due to the change in the rules &

regulations of UDID, the patient/Complainant was referred to the Department of Psychiatry. Therefore, Prof. Dr. Pratap Saran, Professor, Psychiatry, AIIMS Delhi, would respond to the issues raised by the Complainant's representative in a better way.

4. Prof. (Dr.) Pratap Saran said that after the receipt of the notice from this Court, a meeting was conducted on 19.04.2025, wherein an apparent error in the Disability Certificate was observed, and it was felt that a proper reassessment was required. In response to a query as to when the reassessment can be done and where the Complainant should report to, Dr. Saran responded that the whole process requires assessment at various departments of the AIIMS, however, it can start from his department, i.e. the Department of Psychiatry from Friday i.e. 25.04.2025; and the Complainant with his/her attendant can report to him in the OPD of Department of Psychiatry at 10 O'clock in the morning.

5. After hearing the parties, the Court appreciated the positive response by the AIIMS Delhi and the cooperation extended by the officers from the DEPWD. The Court advised the Complainant to report to Dr. Saran at his OPD on Friday, i.e. 25.04.2025 at 10 O'clock. The respondents were also advised to forward to this Court their Action Taken Report positively within one month from the date of issue of this Record of Proceedings.

6. This is issued with the approval of the Commissioner for Persons with Disabilities.

Digitally signed by
PRAVEEN PRAKASH AMBASHTA
Date: 23-04-2025 18:41:17

(Praveen Prakash Ambashta)
Dy. Chief Commissioner

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
/ Department of Empowerment of Persons with Disabilities (Divyangjan)
/ Ministry of Social Justice and Empowerment
/ Government of India

Case No. CCPD/15715/1031/24 **Dated: 22/04/2025**

Case No. 15715/1031/2024

In the matter of —

Ms Alima Anwar **… Complainant**

Versus

(1) The Registrar
University of Delhi **... Respondent No.1**

(2) The Director
Pt. Deendayal Upadhayaya National
Institute for Persons with Physical Disabilities **... Respondent No.2**

Hearing (I):

A hearing was conducted on **21.04.2025 in hybrid mode** (offline/online through Video Conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name & Designation of the parties/ representatives	Mode of appearance
From Complainant:		
1.	Ms Alima anwar, Complainant	Online
From Respondent No.1:		
1.	Advocate Parv Garg, Counsel for University of Delhi	Online
From Respondent No.2:		

1.	Mr Kunal Choudhary,Dy. Director (Admin), PDUNIPPD	Online
2.	Mr Roshan Lal, Lecturer, PDUNIPPD	Online

RECORD OF PROCEEDINGS

Both parties were heard.

2. No written submission was filed by Respondent No.1. The representative/counsel appearing for Respondent No.1 prayed for some more time to file their written submission. Respondent No. 2 informed that they have not admitted any student with disabilities to the course for which the Complainant has applied. The Complainant submitted that 5% of the seats were not reserved for persons with disabilities in the course of the Master of Physiotherapy in compliance with Section 32 of the RPwD Act, 2016. Despite seats being available and unfilled at the institute of her first choice, i.e. the Respondent No.2, she was allocated a private institute, which is not accessible considering her disability, which has also resulted in the denial of benefits which would have come to her had she were studying in a government institute such as the PDUNIPPD.

3. Learned Advocate for Respondent No.1 stated that he was engaged for the case on the day of the hearing and hence requested the Court for some additional time to prepare for the case. It was observed that no reply was received from Respondent No. 1 to the notice issued by this Court on 05.09.2024, attaching therewith the complaint, followed by a reminder dated 25.10.2024. The Court advised the Respondent No. 1 to submit their reply/comments by 23.04.2025**,** with a copy to the Complainant, who will submit her rejoinder by 25.04.2025 immediately after the receipt of the reply/comments from the Respondent No.1. The Respondent was also informed about the provisions of sections 75, 77, 89, and 93 of the RPwD Act, 2016 with regard to consequences of non furnishing a response sought under the Act.

4. The next date of the hearing will be informed later.

5. This is issued with the approval of the Commissioner for Persons with Disabilities.

Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner

5 , , . -2, -10, , -110075; 011-20892364, 20892275
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075;Tele# 011-20892364, 20892275
E-mail: ccpd@nic.in; Website: www.ccdisabilities.nic.in
(/)
(Please quote the above file/case number in future correspondence)