



न्यायालय मुख्य आयुक्त

COURT OF 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 and Empowerment

भारत सरकार/ Government of India

Case No. CCPD/15570/1024/24

Dated: 22/08/2025

In the matter of —

Shri Vitthal Gajanan

Versus

The In-Charge Officer
Army Base Workshop

Hearing: An online hearing through Video Conferencing was conducted on 22.07.2025.
The following parties/representatives were present during the hearing:

1. Shri Vitthal Gajanan - **Complainant**
2. Advocate Vijayan Balakrishnan on behalf of the Complainant
3. Mr. Amit Mishra, Establishment Officer, Army Base Workshop - **Respondent**

RECORD OF PROCEEDINGS

At the outset, the learned Counsel for the Complainant submitted that the complaint pertains to the unlawful denial of transport allowance at double the rate. The Complainant,

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 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
(पया भविष्य मे पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखे)
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having a 75% low-vision disability certificate, was eligible for this allowance from the date of appointment, as per the 07.07.2017, i.e. the date of issuance of the order implementing the 7th Central Pay Commission (CPC) recommendations.

2. The Respondent argued that the grant of transport allowance requires approval from the head of the department. The applicant's case for double transport allowance was submitted. Still, the head of department noted that low vision isn't covered under the Compendium of instructions issued by the Ministry of Finance dated 15.09.2022, unlike blindness. The Respondent distinguished between reservations under the RPwD Act and specific disabilities eligible for double transport allowance as per the Ministry of Finance's instructions dated 15.09.2022, which doesn't include low vision.

3. The complainant clarified that he was given double the transport allowance since his appointment, but it was arbitrarily and abruptly stopped from January 2020. However, the instructions issued by the Ministry of Finance were on 15.09.2022.

4. The Court inquired about the clarification that the Respondents have sought from the Ministry of Finance. In response, it was told that no reply has been received.

5. The Court noted that the DoE instructions quoted by the parties include every disability mentioned in the Act, except the "Low Vision". The extent or percentage of disability is not material for the grant of transport allowance at double the normal rate for any category of disability except for visual impairment. It appears to be more of an oversight than a conscious deletion. Moreover, the said instruction at para 3.3 and 3.4 provides as under:

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Para 3.3

"Government employee who at the time of appointment submit valid Disability Certificate issued by Certified Medical Authority in terms of Notification issued by D/o EPwD dated 04.01.2018 as amended from time to time, would be granted Transport Allowance at double the normal rates from the date of appointment itself. In all other cases, the Transport Allowance at double the rates would be admissible from the date, the requisite certificate is received by the Administrative authority concerned."

Para 3.4

"Government employees already getting the benefit of Transport Allowance at double the normal rate on the basis of certificates obtained from Government Civil Hospitals as per earlier instructions, would continue to get it on the basis of those certificates."

6. In view of the foregoing, this Court is of the opinion that the Complainant, being a person with 75% visual impairment, is eligible for transport allowance at double the normal rate.

7. The Court, thus, recommends that the Respondent resume payment of double TA to the Complainant and pursue with the Ministry of Finance for their clarification. An Action Taken Report, along with a copy of the reply received from the Department of Expenditure, Ministry of Finance, must be shared with this office within 15 days.

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

Yours faithfully,

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(Praveen Prakash Ambashta)
Dy. Chief Commissioner

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