



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.ccpd.nic.in

Case no. CCPD/14080/1092/2023

In the matter of:

Shri Shailesh Kumar

...Complainant

Versus

1. The Secretary,
Department of Heavy Industries,
Ministry of Heavy Industries

2. The Secretary,
Ministry of Road Transport and Highways

...Respondents

1. Hearing:

1.1 A hearing in hybrid mode (online/offline) was conducted on 1605.2025.
The following parties/representatives were present:

S. No.	Name and Designation of the Attendees	On Behalf of	Mode of Attendance
1.	Sailesh Kumar,	Complainant	Offline
2.	Ajay Kumar - Under Secretary	For Respondent No. 1	Online
3.	SK Singh, Under Secretary, MVL	For Respondent No. 2	Online

4.	Ankit Duggal - Director, Ministry of Road Transport and Highways	For Respondent No. 2	Online
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2. Record of proceedings:

2.1 The Complainant stated that his vehicle was denied registration under the "Divyang" category and was instead registered as a standard vehicle, despite repeated representations to authorities and no response through email or phone from any Respondent.

2.2 Respondent No. 1 (Ministry of Heavy Industries), represented by Mr Ajay Kumar, submitted that applicants must first obtain a GST concession certificate and claimed an email was sent on 9 May 2025 seeking this certificate, but the Complainant never replied.

2.3 The Complainant clarified that he never applied for a GST concession because, as per guidelines, PwBDs are ineligible for a GST concession for vehicles exceeding 4 meters or engine limits; he sought only Divyang registration and alleged that RTO and bank officials wrongly linked registration with a GST concession.

2.4 The Court confirmed that the Complainant had submitted his disability certificate in all representations and questioned Respondent No. 1 on why he could not be treated as a Divyang owner when he was not seeking any concession, noting that the request was only for correct categorisation.

2.5 Respondent No. 1 stated that registration fell under Respondent No. 2, the Ministry of Road Transport & Highways (MoRTH). Respondent No. 2's representative, Mr S. K. Singh, informed that MoRTH had complied with the Court's earlier direction and issued an advisory on 25.02.2025, instructing all States and RTOs not to deny registration benefits to PwDs.

2.6 Respondent No. 2 further explained that Form 20, Columns 4 and 5, allow applicants to select "Divyangjan" as a category of ownership, but the Ministry did not know whether the Complainant submitted this form. The Complainant maintained that the RTO refused to register his vehicle under the Divyang category without a GST concession certificate and did so only verbally.

2.7 Respondent No. 2 pointed to an appeal remedy under Rule 57, Motor Vehicles Rules, 1989. Still, the Court observed that such an appeal requires a written order, while the Complainant received no written rejection. The Court therefore directed that RTO Delhi be made a party to explain the basis for denying

Divyang registration.

2.8 The Court mandated Respondents to collect all evidence, including the Complainant's applications and RTO correspondence, and instructed the registry to seek a formal explanation from the RTO. All documents are to be submitted within 15 days, after which the matter will be relisted upon receipt of responses from the State Transport Department and RTO.

3. This is issued with the approval of the Commissioner for Persons with disabilities.

(P.P Ambashta)
Dy. Chief Commissioner