



सत्यमेव जयते

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

Diary No. DNO/25/CCPD/4876

Dated: 18/03/2026

Shri Deepak Jagannath Kumar

...Complainant

Versus

The Chairman,

Central Board of Direct Taxes

...Respondent

RECORD OF PROCEEDINGS

1. Hearing:

1.1 A preliminary hearing was conducted in hybrid mode on 07.11.2025, wherein the following parties were present:

| Sl. No. | Name and Designation of the Party/Representative | Parties | Mode |
|---------|--|-------------|--------|
| 1. | Mr. Deepak Jagannath Kumar | Complainant | Online |
| 2. | Ms. Seema Bharti - CMD Unit - CBDT | Respondent | Online |

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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| | | | |
|----|-----------------------------------|------------|--------|
| 3. | Mr. K. Hauthang - Addl. CIT (Hqr) | Respondent | Online |
|----|-----------------------------------|------------|--------|

1.2 During the hearing, the Complainant stated that although he suffered an accident in 2005 resulting in disability, he never availed the benefit of reservation earlier. His permanent disability certificate was issued on 21 June 2023 and the UDID card was generated on 23 July 2024. However, the Department counted his seniority benefits only from the UDID date instead of the permanent disability certificate date, which he claims is affecting his promotion and service benefits.

1.3 During the proceedings, the Court asked the Respondent Department whether a Grievance Redressal Officer (GRO) had been appointed as required under Section 23 of the Rights of Persons with Disabilities Act. The officials were unable to confirm this immediately. The Court emphasised that every establishment must appoint a GRO and maintain records as mandated under the Act and rules, and that the appointment must also be informed to the office of the Chief Commissioner for Persons with Disabilities.

1.4 The Court noted that in view of the relevant DoPT instructions, no prima facie case of denial of any rights or any discrimination on account of disability is made out. The instructions of the DoPT are at para 4.2 of its OM dated 17.05.2022, which is as under:

“4.2 An employee who acquires disability, after entering into service, will be entitled to get the benefit of reservation in promotion as a PwBD. However, his seniority among PwBDs will be counted from the date of certification of his/her disability, i.e., disability of 40% or more in the categories covered under Section 34 (1) of the Rights of Persons with Disabilities Act, 2016.”

1.5 The Court was, however, inclined to understand whether the acquisition of the disability by the Complainant was in the knowledge of the Respondent. And if yes, what did they do to guide him about his rights as a person with disabilities? What support framework is available in the department? Whether they have at least published an Equal Opportunity Policy and appointed the GRO, which are both mandatory requirements under sections 21 and 23 of the RPwD Act, 2016.? Unfortunately, the Department appeared unprepared. The Court concluded that before examining the merits of the case, the complaint should first be processed through the statutory grievance mechanism.

1.6 As directed by the Court during the proceedings, the Respondent department must provide the name

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and details of the appointed GRO **within seven days**, along with compliance details such as the Equal Opportunity Policy and other statutory requirements. The GRO will have fourteen days to process and attempt to resolve the complaint, followed by seven additional days to submit an action-taken report. If the issue is not resolved within the stipulated time, the Complainant may approach the Court again, but with full justifications as to why the above-quoted instructions of DoPT are not applicable in his case.

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

Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner

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