



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

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Case No. 14280/1092/2023

In the matter of —

Complainant:

Shri Pradipbhai Mohanlal Dave

Versus

Respondent:

The Secretary,
Ministry of Heavy Industries,
Delhi

1. Gist of Complaint:

1.1 Shri Pradipbhai Mohanlal Dave, a person with 100% blindness filed a complaint dated 12.07.2023 regarding denial of GST concession on the purchase of the car.

1.2. The Complainant submitted that the Ministry of Finance, Government of India, provides concessional GST on cars for Persons with Disabilities under Sl. No. 400 of Notification No. 1/2017–Integrated Tax (Rate) dated 28.06.2017 (as amended), pursuant to which the Ministry of Heavy Industries introduced a scheme in 2018, noting that issuance of certificates under the scheme is a manual and rigorous process for persons with disability of 40% or more, irrespective of whether the applicant drives the vehicle. The Complainant stated that he applied under the scheme on the MHI portal on 03.07.2023 vide Application No. MHI-030723130003-7238, which was rejected with the remark that the scheme is only for ortho/locomotor applicants. Aggrieved, he prayed for grant of concessional GST, Road Tax and Toll Tax benefits for purchase of a Honda Amaze VX-MT (Petrol) car

from Honda Limited, being a 100% visually impaired person, and for quashing of the MHI reply as illegal in light of this Court's order dated 01.12.2020 in Case No. 12149/1141/2020. He further submitted that, being blind, he is required to hire a driver and depend on others for mobility, including for work in remote areas, and relied upon the order dated 26.06.2023 of the Madurai Bench of the Madras High Court in W.P. (M.D) Nos. 12955 and 13043 of 2023 directing the extension of the GST concession to visually impaired persons.

2. Notice to the Respondents:

2.1 A notice dated 21.07.2023 under sections 75 and 77 was sent to the above-mentioned Respondents for forwarding to this court comments on affidavit for violation of section 20 of the Act within the statutory time limit.

3. Reply filed by the Complainant:

3.1 The Under Secretary, MHI (AEI Section) filed a reply dated 05.09.2023 and inter alia submitted that clarified that Mr Dave had applied via the portal (Application No. MHI-030723130003-7238), which was rejected on 04.07.2023. The rejection was based on the fact that the GST concession scheme applies only to persons with locomotor (orthopaedic) disabilities of 40% or more, as per the revised guidelines dated 24.10.2019, issued in line with the Ministry of Finance Notification No. 14/2019 (Integrated Tax Rate) dated 30.09.2019. Since Mr Dave is visually impaired, he is not eligible for the GST concession certificate under the current guidelines.

4. Rejoinder filed by the Complainant:

4.1 The Complainant filed his rejoinder on 19.09.2023, stating that persons with orthopaedic impairment have several alternatives to address their limitations, whereas visually impaired persons have no such alternatives, and therefore urged that equality be ensured in all government schemes.

5. Hearing:

5.1 The hearing was initially scheduled on 01.09.2025, but due to the inability of the Complainant to join the same virtually, it was rescheduled and conducted on 12.09.2025 in hybrid mode, wherein the following parties were present :

Sl.No	Name of the Attendees	Complainant/ Respondent	Mode of Attendance

1.	Mr. Pradipbhai Mohanlal	Complainant	Telephonically
2.	Mr. Ajay Singh – Under Secretary- (MHI)	Respondent	Online

6. Proceedings of the hearing:

6.1 During the course of the proceedings, it was informed to the Court that the Complainant was unable to join the hearing online and was connected only through a phone call. Because of technical constraints, communication with the Complainant was not entirely clear; however, through assistance by Court officials, it was conveyed by the Complainant that he had bought the car and wishes to withdraw the complaint.

6.2. The Court recommended that withdrawal should ideally be submitted through email or another written communication so that the records could be updated appropriately. In response, the complainant replied that he is not well-versed in computers.

7. Observations and Recommendations:

7.1 After taking note of these submissions and circumstances, the Court observed that since the substantive grievance had already been resolved and the Complainant wishes to withdraw the matter, no further intervention is warranted.

8. The case is disposed of accordingly.

(S. Govindaraj)
Commissioner for Persons with Disabilities