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**
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Case No.: CCPD-AD-0014/2026

In the matter of:

Dr. Biswajit Sahoo **...Complainant**

Versus

1. The Secretary, Ministry of Road Transport and Highways
2. The Transport Commissioner-cum-Chairman, State Transport Authority, Odisha
3. The Regional Transport officer, Jajpur, Odisha

…Respondents

1. Hearing

1.1 A preliminary hearing was conducted on 18.06.2026 in hybrid mode, wherein the following parties/representatives were present:

S.NO	NAME /DESIGNATION OF THE PARTY	REPRESENTATIVE OF
1	Dr. Biswajit Sahoo	Complainant
2	Shri Sumit Gupta, Section Officer (MVL), Ministry of Road Transport and Highways	Respondent 1
3	Shri Amitabh Thakur, Transport Commissioner	Respondent 2
4	Mr. Samarendra Patnaik, Addl Commissioner Transport (Tech)	Respondent 2
5	Dhirendra Kumar Nayak RTO Jajpur	Respondent 3

2. Record of Proceedings

2.1 The Complainant, Mr. Biswajit Sahoo, a person with a disability, submitted a grievance against the Respondents contending that he was denied a 100% road tax exemption upon purchasing a new fully automatic Light Motor Vehicle (LMV) on

May 22, 2026, which he was legally entitled to under MoRTH guidelines and the amended Motor Vehicles Act. He contended that because his vehicle was fully automatic and required no secondary structural modifications, it was correctly classified as an LMV on the Vahan portal; however, the portal automatically calculated the full road tax amount and failed to apply the mandated exemption, which was only triggering on the system under the "invalid carriage" status. He further alleged that despite consulting RTO officials at Jajpur prior to registration and providing all relevant central circulars, the local authorities failed to exercise their duties, citing systemic limitations within the Vahan application.

2.2 During the proceedings, Respondent No. 1 (MoRTH), represented by Shri Sumit Gupta, Section Officer, clarified that the Ministry has issued several clear advisories, including the latest comprehensive guidelines in 2025, explicitly establishing that the specific vehicle type, whether adapted or factory-standard automatic, must not be used as a restrictive criterion to deny ownership-based tax benefits to persons with disabilities. He further submitted that the Vahan portal, maintained by the National Informatics Centre (NIC), features no structural limitations and is entirely customizable by individual state governments to align with their localized taxation frameworks and exemption policies.

2.3 Respondent No. 2, the Transport Commissioner of Odisha, appearing on behalf of the state transport administration, admitted that there were no technical glitches within the portal itself but acknowledged an administrative oversight at the local level. He submitted that while automated exemptions work seamlessly for explicitly altered vehicles, cases involving factory-standard automatic vehicles purchased by persons with disabilities require manually processed interventions. The Transport Commissioner stated that the department has already formally initiated the remediation process and assured the Court that a 100% refund of the road tax collected would be successfully disbursed to Mr. Sahoo. He further committed to identifying the specific officials at RTO Jajpur who failed to appropriately address the Complainant's initial grievance.

2.4 The Court carefully examined the submissions and the material placed on record. It observed that the applicable statutory provisions, Government circulars, and policy guidelines governing the grant of motor vehicle tax exemption/refund to eligible persons with disabilities were sufficiently clear. In these circumstances, the grievance ought to have been resolved by the concerned Regional Transport Office or the State Transport Commissioner without necessitating the intervention of this

Court. With regard to the complainant's suggestion for appointing a separate officer to exclusively deal with matters relating to persons with disabilities at every RTO, the Court observed that it is the responsibility of all officers and officials entrusted with such functions to remain adequately sensitized, well-informed, and to ensure due compliance with the provisions of the RPwD Act, 2016, and the applicable Government instructions.

2.5 Accordingly, the Court recommended that the Transport Commissioner, Odisha, ensure expeditious processing of the complainant's claim for refund of motor vehicle tax, strictly in accordance with the applicable rules and policy, preferably within 30 days from the date of issuance of this Order. The respondent shall also submit an Action Taken Report to this Court within the same period, along with confirmation regarding the disposal of the complainant's grievance. The Court further advised the State Transport Authority to issue appropriate instructions to all subordinate offices to ensure proper awareness and uniform implementation of the relevant provisions and guidelines relating to persons with disabilities, so as to avoid recurrence of similar grievances in future.

2.6 Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 13-08-2026
10:28:05

(S Govindaraj)
Commissioner

Copy to: Office of the State Commissioner for Persons with Disabilities, State Govt. of Odisha. (scpdorissa@gmail.com)