



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-0009/2026

In the matter of:

Mr. Arjun Aniruddha Patel

...Complainant

Versus

The Dean, HBT Medical College

...Respondent 1

Dr. R. N. Cooper Municipal General Hospital, Mumbai

...Respondent 2

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	Mr. Arjun Aniruddha Patel	Complainant

2. Record of Proceedings

2.1 The Complainant, Mr. Arjun Aniruddha Patel, represented by his mother, submitted a grievance against the Dean, HBT Medical College and Dr. R.N. Cooper Municipal General Hospital, Mumbai. The Complainant submitted that he has had a congenital, profound bilateral sensorineural hearing impairment since birth, resulting in a 100% hearing loss in the right ear and a 65.65% loss in the left ear, cumulatively evaluated under the government formula as an 80% benchmark disability. He contended that when he applied for a Unique Disability ID (UDID) card in 2023, the Respondent hospital issued a card marked as "temporary" with a five-year validity period, despite explicitly recording the medical finding that the condition was "not likely to improve." The Complainant stated that due to this restrictive temporary classification, the Institute of Chartered Accountants of India

(ICAI) rejected his application for a 100% fee concession and course textbooks for the CA Foundation registration, demanding either a full Rs. 9,000 fee or the immediate production of a permanent certificate. He further alleged that when he approached the Respondent hospital's administrative disability office for corrections, officials aggressively insisted that he must completely surrender his active temporary certificate before a new application could even be initiated, which would unconstitutionally strip him of his legal status as a person with a disability during the weeks required for systemic re-processing.

2.2 The Respondent institution failed to appear through any authorized representative or legal counsel during the scheduled hearing despite due notice. The Court took serious note of the Respondent's absence but determined that the matter could proceed conclusively based on the comprehensive oral testimonies and extensive documentary evidence presented by the Complainant. The Complainant apprised the Court that, during the pendency of the matter, he physically visited the Respondent hospital's disability Outpatient Department (OPD) on 05.06.2026, where institutional specialists conducted a fresh audiometry and clinical evaluation. This fresh medical assessment conclusively re-verified his permanent, non-progressive condition, and a formal medical report confirming the 80% bilateral permanent hearing impairment was officially issued to him by the hospital on 07.06.2026.

2.3 The Court observed that the Complainant's administrative apprehension regarding the mandatory surrender of his active certificate was entirely legitimate, reasonable, and legally sound. The Court remarked that forcing a person with a disability to surrender their sole active proof of identity as a prerequisite for an administrative upgrade creates an impermissible legal vacuum, effectively depriving them of statutory protections and access to educational or institutional benefits during the interim period. The Court further noted that because the clinical records explicitly establish that the 79.70% benchmark disability is a permanent sensorineural impairment dating from childhood, the temporary label should never have acted as a barrier to state or institutional benefits. The Court highlighted that the Department of Persons with Disabilities (DEPwD) had recently issued a binding Office Memorandum (OM) within the last six months, explicitly clarifying that temporary disability certificates of a non-progressive nature must attract all statutory benefits, concessions, and reservations without discrimination.

2.4 Accordingly, the Court recommended the Dean and the administrative disability office of HBT Medical College and Dr. R.N. Cooper Municipal General Hospital, Mumbai, to immediately process and issue the Complainant's permanent UDID card based on the fresh medical report dated June 7, 2026, without demanding the prior surrender of his existing temporary card. The hospital

administration may only require a formal written declaration from the Complainant stating that the temporary card will be surrendered immediately upon the physical receipt of the new permanent card. The entire generation and dispatch process for the permanent UDID card must be completed within a strict timeline of three (3) months from the date of this order.

2.5 To address the Complainant's urgent academic requirements with the Institute of Chartered Accountants of India (ICAI), the Court advised the Complainant to refer to the DEPwD Office Memorandum No. 16-09/2014-DD-III dated 04.01.2018. In terms of the mandate contained in the said Ministry guidelines, it is explicitly clarified that where a medical board has certified a benchmark disability to be 'non-progressive' or 'not likely to improve', the mere administrative assignment of a temporary validity period or card renewal cycle shall not act as a ground for the withholding, deferral, or denial of any statutory benefit, concession, or reservation. The Complainant is granted explicit liberty to present this order along with the official DEPwD OM to the ICAI authorities as a valid legal mandate, which establishes his immediate entitlement to the requested fee waivers, exam accommodations, and study materials.

2.6 Accordingly, the case is disposed of.

(S. Govindaraj)
Commissioner for Persons with Disabilities