



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.ccdisabilities.nic.in

Case No. CCPD/14586/1011/2023

In the matter of —

Sh. Akshay Subhash Bavaskar

... Complainant

Versus

The Director,
 All India Institute of Medical Sciences (AIIMS),
 New Delhi

... Respondent

1. Gist of the Case:

1.1 Mr. Akshay Subhash Bavaskar, a person with a benchmark disability, filed a complaint dated 25.10.2023 regarding the non-acceptance of the Unique Disability ID (UDID) card as valid proof of the date of issue of the disability certificate by the AIIMS recruitment cell during medical verification for the post of Pharmacist Grade II, leading to the rejection of his candidature despite merit selection.

1.2 The Complainant, a resident of Pune, Maharashtra, applied under the 4% horizontal reservation for persons with benchmark disabilities for the post of Pharmacist Grade II pursuant to Advertisement No. 37/2023, wherein one vacancy was reserved for candidates with locomotor disability (LD-OA/OL/BL). After qualifying the Computer-Based Test on merit, he was called for document verification in October 2023. He submitted that his original Disability Certificate issued by the District Civil Hospital, Pune, contained an incorrect date of birth. On the

instructions of the authorities, he surrendered the original certificate and obtained a corrected Disability Certificate from the same hospital. Although the revised certificate did not mention the date of issue, as per the prescribed format under the RPwD Rules, 2017, the corresponding UDID reflected the actual date of issue.

1.3 The Complainant further submitted that after document verification, he was called for medical examination at AIIMS, where his candidature was allegedly rejected on the ground that the issue date of the Disability Certificate could not be verified. According to the Complainant, the authorities refused to accept the UDID as proof of the Disability Certificate's issue date and insisted upon verification solely through the Disability Certificate. He alleged that such rejection was arbitrary and contrary to the RPwD Act, 2016, the RPwD Rules, 2017, the UDID Scheme, 2016, and the DoPT Office Memorandum dated 20.03.2020, which recognize the UDID as valid proof of disability details. In support of his grievance, he enclosed copies of the old and revised Disability Certificates, the UDID card, an audio recording of the interaction with the AIIMS official, and representations submitted to the recruitment authorities, including additional submissions dated 17.11.2023 and 08.12.2023.

1.4 The Complainant prayed for directions to AIIMS to accept the UDID as proof of the issue date of the Disability Certificate and to appoint him to the post of Pharmacist Grade II with consequential benefits, including back wages from the date of medical examination. He also sought issuance of appropriate guidelines directing all establishments and recruiting agencies to recognize the UDID as valid proof of disability details, compensation of ₹2,00,000 for the alleged discrimination and mental agony suffered by him, and initiation of action under Section 89 of the RPwD Act, 2016.

2. Notice issued to the Respondents:

In exercise of the powers conferred u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016 [hereinafter referred to as "the Act"], a notice dated 25.10.2023 was issued for violation under sections 3, 20 & 34 of the Act to the aabovementioned respondents for forwarding to this Court comments on affidavit on the complaint within the statutory time limit.

3. Reply filed by the Respondents:

3.1 AllMS, New Delhi, vide reply dated 08.12.2023 submitted that the verification of documents was carried out strictly in accordance with the applicable recruitment rules. It was submitted that Clause 7 of the advertisement required the Disability Certificate (DC) to bear a valid date of issue. The Respondent further contended that the Unique Disability Identity (UDID) card is only a supplementary document and cannot substitute the Disability Certificate, as clarified by the Department of Empowerment of Persons with Disabilities (DEPwD). It was stated that the Disability Certificate produced by the complainant was not valid for the purpose of recruitment as it had been issued after the cut-off date prescribed in the advertisement and did not contain an explicit date of issue. Accordingly, the candidature was rejected on technical grounds and not on account of any discrimination. The Respondent enclosed relevant extracts of the recruitment rules, document verification records, and medical examination reports in support of its stand. It was further submitted that the candidature could be re-examined if the complainant obtained and produced a fresh Disability Certificate containing the requisite date of issue and satisfying the prescribed conditions.

4. Rejoinder filed by the Complainant:

4.1 The Complainant filed a rejoinder dated 28.12.2023 reiterating that the omission of the issue date in the Government-prescribed Disability Certificate format was intentional and that the date of onset of disability is the primary relevant detail. He contended that the Unique Disability Identity (UDID) card constitutes comprehensive proof of disability and is mandatory in terms of the Department of Empowerment of Persons with Disabilities (DEPwD) Office Memorandum dated 20.03.2020. The Complainant further submitted that the revised Disability Certificate was valid as it had been issued by the same competent authority and merely corrected his date of birth. He alleged that the rejection of his candidature was arbitrary and discriminatory and sought acceptance of his disability documents and appointment to the post. In support of his contentions he enclosed copies of relevant DEPwD circulars and other supporting documents.

5. Hearing:

5.1 A hearing was conducted on 09.12.2025 through hybrid mode wherein the following were present:

Sl. No.	Name & Designation of the Attendees (Smt./Shri)	On behalf of	Mode of Presence
1.	Akshay Subhash Bavaskar	Complainant	Online
2.	Vishwesh Chaturvedi, Admin Officer (Recruitment)	Respondent	Online

5.2. The Complainant submitted that he had duly corrected his date of birth, surrendered the earlier disability certificate, and obtained a revised certificate. He further stated that despite repeated follow-ups, the medical board did not accept his UDID card as valid proof of disability. The Complainant also submitted that owing to the prolonged delay in the recruitment process, he was compelled to join alternative employment.

5.3. The Respondent explained that during the medical board verification process certain discrepancies were noticed in the records of the Complainant. Accordingly, a fresh medical board was scheduled for reassessment. However, the Complainant did not appear before the said medical board.

5.4. The Court observed that the present case reflects administrative delays and the absence of clear timelines as well as adequate sensitisation in handling recruitment matters relating to persons with disabilities. It was further observed that such procedural gaps adversely affect candidates with disabilities and undermine the objective of reservation policies. The Respondent was advised to establish structured timelines and to strengthen capacity building measures for officials dealing with recruitment of persons with disabilities.

6. Observation and Recommendations:

6.1 The Court observes that the grievance primarily concerns the manner in which the Respondent verified the Complainant's disability status and the date of issue of his Disability Certificate during the recruitment process. While the recruiting authority is entitled to verify compliance with the eligibility conditions prescribed in the recruitment advertisement, such verification ought to take into account the Government-issued disability records, including the UDID record,

particularly where the corrected Disability Certificate was issued by the same competent authority. The Court is of the view that a candidate should not be rejected merely on account of a formal deficiency in the Disability Certificate where the underlying disability status and the relevant particulars can otherwise be duly verified from authentic Government records, subject to fulfilment of all other eligibility conditions.

6.2 The Respondent is, therefore, recommended to reconsider the candidature of the Complainant for the post of Pharmacist Grade-II, after duly examining the original and corrected Disability Certificates, the corresponding UDID record and the applicable conditions prescribed in Advertisement No. 37/2023. Such reconsideration shall also take into account the date of issue of the relevant disability document vis-à-vis the prescribed cut-off date and the requirement, if any, of medical examination/reassessment under the applicable recruitment rules. If the Complainant is found otherwise eligible, the Respondent may take consequential action in accordance with the applicable rules.

6.3 The Respondent is further recommended to consider putting in place appropriate internal guidelines prescribing clear timelines for completion of medical board/verification procedures in recruitment matters involving persons with disabilities and to undertake sensitisation and capacity-building of officials dealing with recruitment and verification of candidates with disabilities, so as to minimise avoidable procedural delays.

6.4 The Respondent shall take necessary action on the above recommendations and intimate the Action Taken Report to this Court within three months from the date of receipt of this Order, in terms of Section 76 of the Rights of Persons with Disabilities Act, 2016. In case any recommendation is not accepted, the Respondent shall communicate the reasons for such non-acceptance within the said period.

6.5 In the event of failure to furnish the information/documents or Action Taken Report as directed by this Court, appropriate action may be considered in accordance with law, including under Section 93 of the Rights of Persons with Disabilities Act, 2016, wherever applicable.

7. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 19-09-2026
10:38:35

(S. Govindaraj)
Commissioner for Persons with Disabilities