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

Case No. CCPD/16698/1024/26 **Dated:** 07/10/2026

Notice u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016

Case No: CCPD/16698/1024/2026

To,

The Directorate of Estates,

Ministry of Housing and Urban Affairs

Email: jsle.mohua@gov.in | doe-mohua@gov.in

Sub: Notice to file comments in the complaint dated 24-07-2026 of Shri Chandan Kumar, a person with 50% Locomotor Disability regarding non-implementation of PwD quota reservation/priority in GPRA allotment and non-allocation of ground/first-floor accommodation

Madam /Sir,

I am directed to enclose a copy of documents related to complaint dated **24-07-2026** of **Shri Chandan Kumar,** a person with **50% Locomotor Disability** on the above-mentioned subject, which is self-explanatory.

2. And whereas, a preliminary was conducted on 03.09.2026 in Diary No. DNO/26/CCPD/6557 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Chandan Kumar	Complainant

No representatives on behalf of the Respondent were present during the proceedings.

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2.1 Whereas, the Complainant, Shri Chandan Kumar, Assistant Director General, Department of Telecommunications, Lucknow, and a person with 50% disability, submitted that after his transfer to Lucknow, he applied for General Pool Residential Accommodation through the e-Sampada portal in accordance with the Office Memorandum dated 22.05.2025 issued by the Directorate of Estates, which provides for 4% reservation and priority to persons with benchmark disabilities. He stated that despite being at Waiting List No. 1 in the PwD category for Type-IV accommodation, he was not allotted accommodation under the disability quota, while applicants lower in priority in the general pool were allotted quarters. He was subsequently allotted a third-floor quarter, which he stated was unsuitable in view of his locomotor disability. Although the Estate Manager, Lucknow, recommended allotment of ground-floor or first-floor accommodation on medical grounds, the Directorate of Estates had neither acted upon the recommendation nor responded to his representation. During the hearing, the Complainant further submitted that the allotted building did not have a lift or ramp and could only be accessed by stairs. He stated that even some newly constructed buildings did not have such accessibility facilities.

2.2 And whereas, the Court observed that accommodation earmarked for persons with disabilities ought to be duly verified for accessibility prior to allotment and that applicable accessibility standards should be implemented. The Court further observed that, wherever an accessible elevator and other facilities in accordance with universal accessibility standards are available, accommodation may be provided on any floor without causing difficulty to the person with disability; however, in the absence of such facilities, suitable ground-floor accommodation ought to be considered. The Court recommended that the concerned Department address the grievance within three months by providing the Complainant suitable residential accommodation with appropriate accessibility and other facilities, in accordance with his disability-related requirements, and further recommended compliance with the applicable provisions of the Act and the Ministry of Housing and Urban Affairs' directions issued in 2025. The matter was registered for regular proceedings; the Respondents were allowed 15 days to submit their response, while compliance with the recommendation was to be undertaken within three months.

3. Whereas Section 3 of the Rights of Persons with Disabilities Act, 2016 hereinafter referred to as “the Act” provides as under:

> *“3. (1) The appropriate Government shall ensure that the persons with disabilities enjoy the right to equality, life with dignity and respect for his or her integrity equally with others.*

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(2) The appropriate Government shall take steps to utilise the capacity of persons with disabilities by providing appropriate environment.

(3) No person with disability shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.

(4) No person shall be deprived of his or her personal liberty only on the ground of disability.

(5) The appropriate Government shall take necessary steps to ensure reasonable accommodation for persons with disabilities."

4. And whereas Section 21 of the Act, mandates that every establishment shall notify Equal Opportunity Policy and shall register a copy of the same with the Chief Commissioner.

5. And whereas Section 23 of the Act makes it mandatory for every government establishment to appoint a Grievance Redressal Officer and to inform the Chief Commissioner about such appointment.

6. And whereas Section 75(1) (a) and (b) of the Act mandates the Chief Commissioner for Persons with Disabilities to identify, suo motu or otherwise, the provisions of any law or policy, programme and procedures, which are inconsistent with this Act and recommend necessary corrective steps and to look into complaints inter-alia, concerning matters relating to deprivation of rights of persons with disabilities either on his own motion or on the application of any aggrieved person and recommend necessary corrective steps.

7. And therefore, you are hereby advised to forward your comments on the Complaint on an **affidavit** signed by an officer of an appropriate seniority not below the level of Group 'A' officer and to produce all the requisite documents upon which you base your Comments or Claim and where you rely on any other document as evidence in support of your comments or claim, you shall enter such documents in a list to be annexed to the Comments on Complaint along with action taken in compliance with statutory provisions as mentioned at paras 3 & 4 above, to this Court within **15 days** from the date of issue of this communication, failing which, the Complaint may be disposed of exparte. **While responding to this notice, due care may be taken of relevant provisions of the Act, other statutory provisions, and government instructions, such as the ones mentioned above, including but not limited to Section 20 of the**

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Act and Department of Expenditure OM No. 21/1/2018-E.II (B) dated 15.09.2022 read with OM No. 21/1/2018-E.II (B) dated 29.07.2025.

8. A copy of your reply should also be served to the Complainant **via email and by post and the proof of service be submitted to this Court along with your Reply**. You may also provide additional inputs, relevant to the case, if desired. However, it is to be informed that in case any statutory provision, any judgment of a High Court or the Supreme Court, rules formulated under any statute, Office Memorandum, or bye-law is relied upon, you shall attach a copy of the same along with your comments on the Complaint. The Complainant may file his rejoinder, if any, to this Court within 07 days with a copy to the Respondent(s).

Yours faithfully,

(VIKAS TRIVEDI)
Dy. Chief Commissioner

Copy to:

1) **Chandan Kumar**
Quarter No.50, Akansha Parisar, Pocket B Jankipuram, Lucknow
LUCKNOW, UTTAR PRADESH, 226021
chandan151990@yahoo.co.in
9096311506

Enc. Copies:

1) Disability Certificate
2) Case Document - 1