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/16666/1092/26 **Dated:** 21/09/2026

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

**Case No:** CCPD/16666/1092/2026

To,

**The Secretary,**
Ministry of Railways
Email: secyrb@rb.railnet.gov.in

**Sub: Notice to file comments in the complaint dated 25-07-2026 of Ms. Shruti Sharma, a person with 85% Intellectual Disability regarding validity period of Railway Divyangjan Identity Cards/Railway Concession Certificate**

**Madam /Sir,**

I am directed to enclose a copy of documents related to the complaint dated **25-07-2026** of **Mr. Shruti Sharma**, a person with **85% Intellectual Disability** on the above-mentioned subject, which is self-explanatory.

2. **And whereas, a preliminary was** conducted on 10.09.2026 in Diary No. DNO/26/CCPD/6566 wherein the following parties/representatives were present:

| Sl. No. | Name of the Parties / Representatives | On Behalf of |
|---|---|---|
| 1. | Shri Avinendra Dutt Sharma, Father | Complainant |

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

2.1 And whereas, The Complainant, Shri Avinendra Dutt Sharma, challenged Railway Board Commercial Circular No. 01 of 2025 (dated 22.01.2025), which mandates that persons with intellectual

disabilities renew their Railway Concession Certificate and Divyangjan Identity Card every five years. He submitted that his daughter, Ms. Shruti Sharma, has a permanently certified 85% benchmark intellectual disability. Requiring her to undergo repeated medical re-examinations causes unnecessary physical, mental, and financial hardship for both her and him as her elderly (64-year-old) caregiver. He argued that this requirement violates Section 3 of the Rights of Persons with Disabilities Act, 2016 and established precedent prohibiting repeated certification for permanent disabilities. Consequently, he requested the Railway Board to amend the circular and exempt individuals with permanent intellectual disabilities (80% or more) from fresh medical assessments and physical appearances.

2.2 And whereas, the Respondents were not present during the hearing and no representation was made on their behalf. The Hon'ble Commissioner, upon consideration of the submissions of the Complainant, directed that notice be issued to the Respondents to submit their response/representation on the grievance within fifteen (15) days and to furnish a copy thereof to the Complainant.

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.*
*(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 an Equal Opportunity Policy and shall register a copy of the same with the Chief Commissioner.

5. And whereas Section 75(1) (a) and (b) of the Act mandates the Chief Commissioner to inter alia identify, suo motu or otherwise, the provisions of any law or policy, programme and procedures, which are inconsistent with the Act 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.

6. 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

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annexed to the Comments on Complaint along with action taken in compliance with statutory provisions as mentioned at para 3 above, to this Court within **15 days** from the date of issue of this communication, failing which, the Complaint may be disposed of ex-parte. **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.**

7. 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 **15 days** with a copy to the Respondent(s).

**Yours faithfully,**



**(VIKAS TRIVEDI)**
**Dy. Chief Commissioner**

**Copy to:**

1) **SHRUTI SHARMA**
House Number-357 RPS DDA FLATS, MANSAROVER PARK, SHAHDARA
SHAHDARA, DELHI, 110032
avenindra1@gmail.com
8130700739

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2) **AVENINDRA DUTT SHARMA**
House Number-357 RPS DDA FLATS, MANSAROVER PARK, , House Number-357 RPS DDA FLATS, MANSAROVER PARK,
SHAHDARA, DELHI, 110032
avenindra1@gmail.com
8130700739

**Enc. Copies:**

1) Disability Certificate
2) Case Document - 1