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/16556/1093/26 **Dated:** 21/09/2026

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

Case No: CCPD/16556/1093/26

To,

The Secretary
Ministry of Rural development

Email: secyrd@gov.in **...Respondent**

Sub: Notice to file comments in the complaint dated 14.07.2026 of Shri Shubham Harishchandra Nimbalkar, a person with 75% disability, regarding revision of eligibility criteria under the Indira Gandhi National Disability Pension Scheme (IGNDPS) – reg.

Madam /Sir,

I am directed to enclose herewith a copy of the documents relating to the complaint dated 14.07.2026 of Shri Shubham Harishchandra Nimbalkar, a person with 75% disability, concerning the eligibility criteria prescribed under the Indira Gandhi National Disability Pension Scheme (IGNDPS), which is self-explanatory, for necessary action.

2. And whereas a preliminary hearing was conducted in Diary No: DNO/26/CCPD/6377 on 17.08.2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Pawan Kumar, Director	Respondent

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

Case No. CCPD/16556/1093/26 **Dated:** 21/09/2026

2.1 And wherein, the Complainant, Shri Shubham Harishchandra Nimbalkar, a person with 75% disability, submitted that he had filed the present complaint against the Ministry of Rural Development concerning the eligibility criteria prescribed under the Indira Gandhi National Disability Pension Scheme (IGNDPS). He submitted that the Scheme presently provides eligibility only to persons having 80% or more disability, due to which he is excluded from its benefits despite being a person with benchmark disability. The Complainant requested that the Ministry review and amend the eligibility criteria by removing the minimum requirement of 80% disability and extending the benefits of the Scheme to all persons with benchmark disabilities under the Rights of Persons with Disabilities Act, 2016. He further requested review of the Below Poverty Line eligibility criteria and appropriate directions for making disability-related schemes accessible online and integrating them with the UDID system, wherever feasible.

2.2 And wherein, the Respondent, represented by the Director, Ministry of Rural Development, sought an opportunity to examine the matter and submit the relevant facts and position of the Scheme. Upon hearing the submissions, the Hon'ble Commissioner observed that the grievance essentially concerned the eligibility criterion of 80% or more disability prescribed under the Scheme and the Complainant's request for its revision so as to extend the benefit to persons with benchmark disabilities. The Court accordingly directed the Respondent to consult the concerned department/policy-making authorities and submit a **written statement within 15 days** indicating the present position of the Scheme, the possibility of revising the eligibility criteria, and, if revision is contemplated, the likely timeline for such amendment. The Respondent was further directed to furnish the said statement to the Court as well as to the Complainant for consideration.

2. 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.”*

3. 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.

Case No. CCPD/16556/1093/26 **Dated:** 21/09/2026

4. 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.

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 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 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

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Copy to:

1) **Shubham Harishchandra Nimbalkar**
Madha
SOLAPUR, MAHARASHTRA, 413209
shnshubham@gmail.com
8668921507

Enc. Copies:

1) Disability Certificate