सत्यमेव जयते

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. 13741/1014/2023

In the matter of—

Shri Dileep Kumar, **… Complainant**

Versus

The Principal Commissioner of Customs (General),
Office of The Principal Commissioner of Customs,
New Custom House, Ballard Estate, Mumbai-400001;
Email: p.estt-mum-cus-zonel@gov.in /
pr.cc-general@gov.in ..**Respondent**

Notice for Action Taken Report

The undersigned is directed to state that vide Order dated **24.04.2024** case was disposed of, wherein the Respondent was, inter alia, directed to submit an Action Taken Report (ATR) to this Court in accordance with Section 76 of the Rights of Persons with Disabilities Act, 2016. However, despite the expiry of the stipulated period, no Action Taken Report has been received from the Respondent.

2. In view of the above, a Notice calling upon it to furnish the Action Taken Report within 10 days of receipt of the Notice, failing which appropriate action may be considered in accordance with the provisions of the RPwD Act, 2016; may be issued to the Respondents

3.And whereas, this Court is inclined to mention Section 76 of the Rights of

Persons with Disabilities Act, 2016 which mandates the appropriate authority that whenever the Chief Commissioner makes a recommendation, the authority recommended shall take necessary action and inform the same to the Chief Commissioner within three months. Further, the same provides that if the authority does not accept the Recommendation, it shall state the reasons for the same.

4. And whereas, this Court is also inclined to mention that Recommendations made in the exercise of its functions laid down by this Court under Section 75 of the Rights of Persons with Disabilities Act, 2016, and powers given to it under Section 77 of the Act are not mere empty formality. Recommendations are made by this Court after application of mind to the facts and documents submitted by the parties to the Complaint. Furthermore, this Court is also inclined to mention that the 'reason' for non-acceptance of the Recommendation must contain an explanation supported by proper evidence for non-acceptance. Mere one-line information about non-acceptance shall not be considered a 'reason' for non-acceptance.

5. And whereas, this Court seeks to bring the attention of the Respondent to Section 93 of the Act, according to which not furnishing any information or statement sought under the Act is a punishable offence.

6. And this Court takes serious note of the fact that no Compliance Report has been received from the Respondent so far.

7. And therefore, this Court has concluded that the Respondent has violated provisions of Sections 76 and 93 of the Act and has demonstrated utter disrespect to the Recommendations of this Court by not filing an 'Action Taken Report' within the stipulated timeline. This Court grants final opportunity to the Respondent to file an 'Action Taken Report' under Section 76 of the Act within 10 days of receiving this Notice, failing which this Court shall presume that the Respondent has not taken any action and will be constrained to initiate action under Sections 89 and 93 of the Rights of Persons with Disabilities Act, 2016.

Digitally signed by
Vikas Trivedi
Date: 03-11-2026
13:29:46

(Vikas Trivedi)
Dy. Chief Commissioner