

**In the Court of Commissioner for Persons with Disabilities**  
**25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2**  
**Phone-23216002-04, Telefax: 23216005**  
**Email : comdis.delhi@nic.in**

**[Vested with power of Civil Court under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995]**

Case No. 4/1033/2015-Wel./CD/1373-74

Dated: 25.8.15

In the matter of :

**Sh.Arvind Kumar Sharma**  
WB-118  
Shakarpur, Delhi-110092

..... Petitioner

**Versus**

**Sh.C.R.Garg**  
**Managing Director**  
Delhi Transport Corporation  
DTC Headquarter  
I.P.Estate, New Delhi-2.

.....Respondent

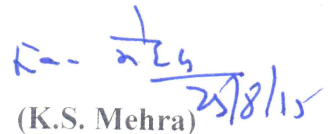
**ORDER**

1. Sh.Arvind Kumar Sharma petitioner a disabled person working as fitter in the Office of the Delhi Transport Corporation filed a representation which was received through the Office of the Chief Commissioner for Persons with Disabilities stating that he was being harassed by the controlling officers and given duties which require physical labour which he is not able to do because of the disability of his hands.
2. After receipt of the representation comments were called from the officers of the Delhi Transport Corporation. A reply was received from the concerned officers of the Corporation stating that it would not be possible to call the petitioner on gazetted holidays as he is not fit for the job of workshop. The circular issued in 2004 by the Management clearly states that only those staff who are directly related to the repair and maintenance activities in the depots and are quite regular and punctual and play key role in the process should be identified and called by the Unit Officer on Gazetted Holidays which entitles them to a payment which is three times the wages being paid otherwise. The petitioner was provided all basic amenities like drinking water, table, chair etc required to perform duty and that his statement that he finds it difficult to record CNG data is not reasonable as he attends office by driving a two wheeler scooter. However considering his request

he was deputed in day shift duty from 7.00 hrs to 15.30 hrs in the pass section at Hassanpur Depot. A copy of the reply was sent to the petitioner. The petitioner filed a rejoinder indicating that he was facing monetary loss as he is not being called on Gazetted Holidays and his posting in pass section is a kind of harassment.

3. Since there was a need to understand the difficulties faced by him a hearing was fixed which was attended by the petitioner and the Deputy Chief General Manager (East Zone) along with Depot Manager Hassanpur Depot. The difficulties being faced by the petitioner were explained to the officers present in the hearing.
4. After careful consideration of the facts and circumstances it was agreed that the petitioner would be appropriately posted to facilitate efficient discharge of duties in view of the physical impairment in all the four limbs to the extent of 81%.
5. The Depot Manager informed in writing on 21.8.15 that the petitioner Sh.Arvind Kumar Sharma has been deputed in the General Office of the depot on table duty on the seat of LTC claim and specialized medical treatment claim of the employees.
6. The matter is accordingly disposed of.

Given under my hand and the seal of the Court this 25<sup>th</sup> day of August, 2015.

  
(K.S. Mehra)

Commissioner

**Court of Commissioner (Disabilities)**  
**National Capital Territory of Delhi**  
**Room No. - 1**  
**25-D, Mata Sundari Road, New Delhi-02**