

In the Court of Commissioner for Persons with Disabilities
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
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[Vested with power of Civil Court under the Persons with Disability (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995]

Case No. 4/922/2015-Wel/CD/81-82

Dated: 17.4.15

In the Suo-Moto matter :

Sh.S.C.L.Das
Secretary
Department of Health & Family Welfare
9th Level, Delhi Secretariat,
I.P.Estate, New Delhi-2

Dr.Vijay Rai
Additional Medical Superintendent
Dr.Baba Saheb Ambedkar Hospital
Sector-6, Rohini
New Delhi-110085

.....Respondents

ORDER

1. A schedule for conducting Access Audit of the Hospitals under Department of Health and Family Welfare was issued to all the concerned authorities for facilitating the Audit. It was reported by the Audit Team that the Additional Medical Superintendent of Dr.Baba Saheb Ambedkar Hospital did not allow the team to conduct the audit and in fact he misbehaved with the Audit Team and threw away the orders of the Commissioner for Persons with Disabilities which is unprecedented particularly from an officer of the level of Additional Medical Superintendent of the Hospital.
2. Taking cognizance of the incident and to ensure that the Access Audit is not disrupted in future it was thought necessary to call the concerned officer and the Secretary Health and family Welfare Government of NCT of Delhi to allow an opportunity to the concerned officer to explain his conduct.
3. Meanwhile a report was received from the Secretary Health and Family Welfare Government of NCT of Delhi stating **Quote** "It is informed that the order regarding conduct of Access Audit was circulated to the Medical Superintendent of the concerned hospitals vide this office letter 234 (149)/Misc/H&FW/2015/1955 dated 11.3.15 with the request to depute the concerned officer in the hospital to facilitate the scheduled access

audit. It has been ascertained from the Head of the concerned hospitals where said audit has been conducted that the same has been concluded smoothly barring in one isolated case in the Dr.Baba Saheb Ambedkar Hospital for which the Commissioner had called for personal appearance of the Secretary (Health) and Dr.Vijay Rai Additional Medical Superintendent Dr.Baba Saheb Ambedkar Hospital on 30.3.15. The Court of Commissioner (Disabilities) was duly attended by Dr.Vijay Rai and Sh.S.K.Verma Deputy Secretary Health and Family Welfare Department on behalf of Secretary (Health) since he was pre occupied with the time bound work related to closing of financial year and had requested for his exemption vide this office letter dated 30.3.15. Dr.Vijay Rai has also submitted his explanation before the commissioner with the request to withdraw the contempt proceedings and extinguish the show cause notice. On perusal of reply furnished by Dr.Vijay Rai in response to the allegation levelled by Sh.Sandeep Kumar the complainant it appears that the unfortunate incident occurred apparently due to misunderstanding between the two. However it is felt that the Additional Medical Superintendent should have provided one hospital staff to assist the team to conduct the audit for which the Medical Superintendents were advised adequately vide this office circular dated 11.3.15. Additional Medical Superintendent Dr.Baba Saheb Ambedkar Hospital has again been sensitized to co-operate in getting the Access Audit done smoothly. This hospital has been facing problems in the recent past due to absence of regular Medical Superintendent hence some lapses at ground level might have occurred due to lack of coordination. It is re-iterated that the Department of Health and Family Welfare has always extended full co-operation to the endeavours of the Commission in facilitating qualitative services to persons with disabilities and the Department stands committed to support implementation of the mandate of the Hon'ble Commission. It is therefore requested that on overall consideration the Hon'ble Commission may kindly take a lenient view in the matter." **Unquote.**

4. I have carefully gone through the reply of the Secretary Health and Family Welfare and in view of the assurance given by the Secretary there does not appear any necessity to proceed further in the matter which is accordingly disposed off.
5. Ordered accordingly.



Commissioner under my hand and the seal of the Court this 17th day of April, 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