

**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 Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995]

Case No. 4(683)/2014-Wel./CD/1872-73

Dated: 27.11.14

**In the matter of,**

**Ms.Urmila Gangwar**

Assistant Teacher

Rajkiya Sarvodaya Kanya Vidyalaya

New Ashok Nagar, Delhi

..... Petitioner

**Versus**

**Ms.Padmini Singla**

Director

Directorate of Education

Old Secretariat, Delhi

.....Respondent

**ORDER**

1. Ms.Urmilla Gangwar a disabled person filed a representation stating therein that she has been working as Primary School Teacher in Rajkiya Sarvodaya Kanya Vidyalaya New Ashok Nagar, Delhi since 1.8.09 on permanent basis. Further she had requested the Principal of the School to grant her the benefits admissible to disabled persons vide order no.36035/3/2004-Estt.(Res.) dated 29.12.05 and Office Memorandum no.25011/1/2008-Estt (A) dated 19.11.08 of Government of India. As per these orders and instructions of the Government of India the petitioner is entitled to get Transport Allowance and four (4) Special Casual Leave.
2. The Directorate of Education was requested to send comments in the matter and since the comments were not received a hearing was fixed. During the course of the hearing the Advocate of the Directorate of Education filed a reply which states that Smt. Urmila Gangwar was appointed as Assistant Teacher under unreserved category in the Directorate of Education Government of NCT of Delhi vide appointment order no.

DE.4(61)/307/AT/E-IV/2008/20234 dated 10.8.2009 and was also declared medically fit and therefore the petitioner was asked to clarify the position for the claim filed for getting benefits under the category of disabled persons. The petitioner informed that she did not have the medical certificate while filling up the form for applying for the post of Primary Teacher in Directorate of Education in Government of NCT of Delhi. With a view to confirming the veracity of the statement of the petitioner the Deputy Director of Education District South was requested to forward the dossier of the official and on perusal of the record it is revealed that she had applied under OBC category and not under the visually disabled category in 2007. Subsequently on 30.5.2008 she requested the Secretary Delhi Subordinate Services Selection Board (DSSSB) to change her category for which she enclosed the medical certificate issued by Chief Medical Officer Bareilly on 27.3.2008. She produced the medical certificate in August 2009 which was not considered as she had not applied under the visually disabled category.

3. During the course of the hearing the Deputy Director of Education District East filed a report stating therein that the petitioner Smt.Urmila Gangwar has been granted the benefit of Transport Allowance at double rate from the date of her appointment i.e 10.8.2009. The copy of the order no. DE.47(4)(2)/DDE(E)/E/A/14/7176-7181 dated 10.11.2014 was also enclosed with the report. Further a copy of the bill of Transport Allowance amounting Rs.94,560/- submitted in PAO XXIV vide bill no.457 dated 24.11.2014 was also enclosed with the report.
4. It may be seen that the petitioner has been allowed to draw Transport Allowance as per the instructions of Government of India issued vide No.36035/3/2004-Estt.(Res.) dated 29.12.05. The grievance of the petitioner has been redressed. There is no need to pursue the matter further as the needful has been done by the Directorate of Education Government of NCT of Delhi.
5. Ordered accordingly.



Given under my hand and the seal of the Court this 27<sup>th</sup> day of November, 2014.

*K.S. Mehra*  
27/11/14

(K.S. Mehra)  
Commissioner

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