



uncle Ved Prakash is not vacating the 1<sup>st</sup> floor room. They also often fight with him and his parents. He filed a complaint with the Police Station, Khyala but no action was taken. He requested to get the 1<sup>st</sup> floor of his house vacated and to direct the Delhi Police to take legal action against his uncles.

2. The complaint was taken up with the respondent vide communication dated 26.10.2016 followed by reminder dated 15.11.2016 and a hearing on 15.12.2016. As the complainant did not appear on 15.12.2016, he was contacted on telephone and the report dated 30.11.2016 of the police was read over to him. As he was not satisfied, another hearing was scheduled on 13.12.2017.

3. During the hearing on 13.12.2017, the complainant accompanied by his mother reiterated his written submissions. He added that his uncles, aunt and their children often harass and abuse them. His father is suffering from neurological problems and often has seizures. The neighbours are afraid of his uncles and therefore they also do not cooperate and come forward to help the complainant and his parents.

4. He further submitted that he has filed a civil suit in Tis Hazari Court for vacating the house D-10, Raghubir Nagar, New Delhi. He has filed another complaint u/s 156(3) Cr.P.C. against the said relatives for harassment etc. He also stated that by the time PCR van arrives, his uncles move away from the spot and escape action.

5. The representative of the respondent submitted that the report in connection with this case has already been submitted vide communication dated 30.11.2016 after recording the statement of the complainant and approval of the competent authority as stated therein. Since the matter is related to the property dispute no further police

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action is required. However, the police will take appropriate action under the law if the complainant is harassed by the alleged person. In any case, since a criminal case is also pending in the Tis Hazari Court on the similar allegations, the Police will file the status report and will act as may be directed by that Court.

6. The Rights of Persons with Disabilities Act, 2016, has come into effect from 19.04.2017. Section 7 of the said Act mandates the appropriate Government to take measures to protect persons with disabilities from all forms of abuse, violence and exploitation. Section 7(4) also provides that any Police Officer who receives a complaint or otherwise comes to know of abuse, violence or exploitation towards any person with disability, shall inform the aggrieved person of –

(a) his or her right to apply for protection under sub-section (2) and the particulars of the Executive Magistrate having jurisdiction to provide assistance;

(b) the particulars of the nearest organisation or institution working for the rehabilitation of persons with disabilities;

(c) the right to free legal aid; and

(d) the right to file a complaint under the provisions of this Act or any other law dealing with such offence:

7. In this regard, Office of Commissioner of Police: Delhi has already issued an advisory circular No. 28/2017 dated 25.10.17 to all concerned in Delhi Police with the direction to all the DCsP to make the IOs aware of the provisions of the Act and to ensure its effective implementation. A copy of the said circular was handed over to the representation of the respondent during the hearing. The complainant was also informed about the legal aid that he can avail through Delhi Legal Services

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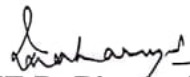


Authority. He, in fact, is already aware about it and had availed the facility.

8. In the light of the fact that the complainant has already moved the appropriate courts for legal remedies and the respondent assures to extend necessary assistance under the law as and when required by the complainant, the complaint is closed and disposed off accordingly.

9. Given under my hand and the seal of the Court this 22<sup>nd</sup> day of December, 2017.



  
(T.D. Dhariyal) 22/12/17

State Commissioner for Persons with Disabilities

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