

**In the Court of Commissioner for Persons with Disabilities
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
Phone-23216002-4 Telefax: 23216005**

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

Case No. 4/1080/2015-Wel./CD/ 1650-51

Dated: 22.9.15

In the matter of :

Sh.Rakesh Kumar Gupta

A-30/LG-1, Teachers Apartment

Dilshad Colony

Delhi-110095

..... Petitioner

Versus

Ms.Padmini Singla

Director

Directorate of Education

Old Secretariat, Delhi-110054

.....Respondent

ORDER

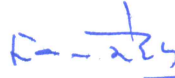
1. The petitioner Sh.Rakesh Kumar Gupta filed a representation stating that he had been transferred from Sant Eknath Sarvodaya Kanya Vidyalaya (SKV) J& K Block Dilshad Garden to A-Block Nand Nagari which is far away from his residence and it is against the instructions of the Government of India in this regard.
2. In view of the sensitivity of the matter the transfer order was stayed and the Director of Education was directed to file comments on the representation filed by the petitioner which inter-alia related to issues relating to his service like grant of increments, payment of salary etc.
3. The replies filed by the officers of the Directorate of Education on the issues raised by the petitioner indicate that the petitioner has been creating problems in the school wherever he is posted as for example in the present school he requires the help of students to move from one class to another in the absence of Class-IV staff and the girl students do not feel comfortable in escorting him. sends SMS to the teachers during working hours and since teachers do not respond as ordered by the school authorities the petitioner misbehaves with the lady teachers and threatens that he would call the police authorities and file a case against them in the Court. The petitioner called the police several times who have

ultimately advised him and the school authorities to sort out the matter among themselves as police had no role in any of the issues involved.

4. I have carefully gone through the submissions made by the petitioner (Total pages 767) as well as the reply filed on behalf of the Director of Education Government of NCT of Delhi I am of the considered opinion that the genuine grievances of the petitioner need to be resolved in a time bound manner and the petitioner should be posted in a school convenient to him in consonance with the office memorandum issued by the Department of Personnel and Training, Ministry of Personnel, Public Grievances and Pensions Government of India vide no.36035/3/2013-Estt.(Res) dated 31.3.2014.
5. In the facts and circumstances of the case the Stay Order issued on 13.8.15 is hereby vacated. The Director of Education is directed to settle all the grievances already communicated to the representative of the Directorate of Education during the course of the hearings in a time bound manner and in any case within 3 months i.e by 31.12.15 and file an Action Taken Report.



Given under my hand and the seal of the Court this 22nd day of September, 2015.


(K.S. Mehra) 22/9/15
Commissioner

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