

In the Court of State Commissioner for Persons with Disabilities
National Capital Territory of Delhi
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
Phone-011-23216002-04, Telefax: 011-23216005, Email: comdis.delhi@nic.in
[Vested with powers of Civil Court under the
Rights of Persons with Disabilities Act, 2016]

Case No.4/1203/2016-Wel./CD/ 3970-71.

Dated: 24/02/18

In the matter of:

Ms. Ritu Rani
 KG-III/44, Vikas Puri
 New Delhi -110018

Versus

The Commissioner
North Delhi Municipal Corporation
 D.S.P.M. Civic Centre,
 Delhi -110002

Date of Hearing: 19.01.2018

Present: Smt. Ritu Rani, Complainant, Sh. Balbir Singh, A.O

ORDER

The above named complainant, Sister of Sh. Laxmi Narain, a person with 80 % Locomotor Disability vide her complaint dated 11.02.2016 submitted that her brother Sh. Laxmi Narain was allotted a PCO Booth at Main Road, Jahangir Puri Opposite Aggarwal Sweets vide Central Licensing and Enforcement Cell (CL & EC), MCD order dated 03.10.2002. As it was difficult for her brother to travel to Jahangirpuri, they have been trying for transfer of booth site to Rajouri Garden since 2004. She requested to get the PCO Booth transferred to Rajouri Garden.

2. The complaint was taken up with the respondent vide communication dated 23.02.2016 followed by reminders. C.L & EC vide letter dated 27.07.2016 asked D.C (Civil Lines Zone) to look into the matter as it pertained to that office. North DMC, Civil Lines Zone vide letter dated 15.02.2017 informed the complainant with a copy to this court that on examination of the case, it was found that Tehbazari site measuring 7 Feet X 5 Ft. for PCO Booth under the quota for persons with disabilities was allotted vide above mentioned order to Sh. Laxmi Narain S/o Sh. Ganga Ram. The allottee had undertaken to take possession of the PCO Booth within 60 days which he did not do. Therefore, allotment may be treated as cancelled.

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3. During the hearing on 18.01.2018 stated that the North DMC, Civil Lines Zone vide letter dated 18.01.2018 that as the allottee failed to install the PCO Booth and deposit the security/license fee within permissible limit of time, allotment was automatically cancelled. At present, there is no policy for allotment of PCO Booth to any person. The authority to allot TehBazaari /PCO Booth rests with Town Vending Committee (TVC) which is yet to be constituted. It has further been stated that as and when the TVC will be constituted, Sh. Laxmi Narain may take up the matter with TVC. Representatives of the Respondent from Headquarter also made the same submissions.

4. The complainant reiterated written submissions and added that hearing her brother and mother are illiterate and therefore could not understand the contents of the allotment letter. Her brother is not even aware about the government schemes for pension for persons with disabilities in Delhi and is not in receipt of any benefits from the government.

5. As Sh. Laxmi Narain had not taken possession of the site/installed the PCO Booth and Tehbazaari site can be allotted only by TVC, the respondent cannot be directed to transfer or allot the Tehbazaari site at this stage. However, the complainant who has also been made aware about various schemes of Government of India and Government of NCT of Delhi for the benefit of persons with disabilities, is advised to keep in touch with the local office of North DMC at Keshavpuram and request the Town Vending Committee when constituted for allotment of Tehbazaari Site ² near her brother's residence on priority. The complainant has also been advised to get in touch with the concerned officers in Social Welfare Department and apply for disability pension to her brother. She has also been advised to take assistance of this office in connection with availing the benefit of disability pension or any aids and appliances required for her brother Sh. Laxmi Narain. A copy of this court's order dated 27.07.2017 regarding street vendors has also been given to her.

6. The complaint is disposed off.

7. Given under my hand and the seal of the Court this ^{23rd} day of January, 2018.



(T.D. Dhariyal) 23/1/18
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