

In the Court of the State Commissioner for Persons with Disabilities
National Capital Territory of Delhi
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
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[Vested with powers of Civil Court under the Rights of Persons with Disabilities Act, 2016]

Case No.4/1361/2016-Wel./CD / 2962 -64

Dated 10/11/17

In the matter of:

Sh. Gaurav Kumar
56, 1st Floor, Gali No. 7,
West Guru Angad Nagar,
Laxmi Nagar, Delhi – 110092.
Mob – 9871216332.

.....Complainant

Versus

The Director,
Education Department
East Delhi Municipal Corporation
419, Udyog Sadan, Patparganj Industrial Area,
Delhi – 110096.

.....Respondent No-01

The Director,
Education Department
North Delhi Municipal Corporation
Dr. S.P.M Civic Centre,
New Delhi-110002.

.....Respondent No-02

ORDER

The above named complainant, a person with 70% Loco Motor disability vide his complaint dated 03.08.2016 submitted that the respondent No - 01 was not following the procedure of promotion to the post of principal, in accordance with Judgment dated 30.06.2016 in W P (civil) No. 521 Of 2008 Rajiv Kumar Gupta & others V/s Union of India

Court of Commissioner (Disabilities)
National Capital Territory of Delhi
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and others. Hon'ble Supreme Court vide judgment dated 30.06.2016 directed to extend 3% reservation to persons with disabilities in all identified ²posts Group A & Group B posts, irrespective of the mode of filling up of such posts.

2. The complaint was taken up with respondent No-01 vide communication dated 12.08.2016. Respondent no-01 vide letter dated 30.08.2016 informed that after trifurcation of MCD, all matters related to promotion were being dealt by North DMC, who vide letter dated 29.12.2016 informed that the post of Head Master is a Group B post and as per DOP&T's instructions, reservation for persons with disabilities to Group B posts is not allowed.

3. The reply of North DMC was sent to the complainant vide letter dated 22.02.2017 for comments. However, no comments from the complainant have been received.

4. It is observed that DOP&T have not issued any instructions for reservation of vacancies for persons with disabilities in promotion to Group A & Group B posts till date. In view of this, the complaint is closed and disposed off accordingly.


(T.D. Dhariyal) 10.11.17

State Commissioner for Persons with Disabilities

5. Given under my hand and the seal of the Court this 08th day of November, 2017.



of Commissioner (Disabilities)
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