

107

**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. 4/1014/2015-Wel/CD/ 3359-60

Dated: 13/12/2017

In the matter of:

**Sh. Subhash Chandra Chauhan
H-4, Dhaka Colony
MCD Flats, Delhi**

.....Petitioner

Versus

**Sh. Madhup Vyas
Commissioner
North Delhi Municipal Corporation
Dr. S.P.M. Civic Centre
New Delhi -110002**

Date of Hearing: 08.12.2017

ORDER

The above complainant, a person with blindness vide his complaint dated NIL received on 23.06.2015 submitted that he is working in North Delhi Municipal Corporation and living in Quarter No. H-4, Dhaka Colony. He wanted to change his quarter from H-4 to G-52 or G-25 or any quarter on first floor due to certain circumstances. He had requested the concerned department vide his applications dated 01.04.2015 and 15.05.2015. When he enquired, he was informed that there was no vacant quarter. Whereas so many quarters were vacant in G Block.

2. The complaint was taken up with the respondent vide communication dated 25.06.2015 followed by reminder dated 24.07.2015 and 10.08.2015. The then Commissioner for Persons with Disabilities heard the matter on 10.09.2015, 10.12.2015, 29.10.2015 and 26.11.2015. On the last hearing the then Commissioner directed the representatives of the respondent (Sh. Rajesh Dogra, Superintendent) to submit further progress reports. However, despite another communication dated 4.3.2016, neither the respondent submitted any progress report nor has the complainant pursued his case. On 08.12.2017, the complainant was contacted on his given telephone No. (886029798 and 9868386264). While there was no response from telephone No. 886029798, the other telephone No. 9868386264 was switched off.

3. As per the compendium of allotment of government residence (in general pool Rules, 1963 and Guidelines, persons with disabilities (locomotor disabilities, mental retardation and persons with cerebral palsy) are entitled to be considered for

**Court of Commissioner (Disabilities)
National Capital Territory of Delhi
Room No. - 1
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discretionary out of turn allotment of GPRA against 5% of vacancies occurring in each type of house in a calendar year on medical grounds along with persons suffering from various diseases.

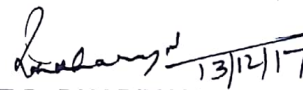
4. As per para 2, E of DOP & T's O.M. No. 6035/3/2013 -Estt.(RES) dated 31.03.2014, Directorate of Estates may give preference to persons with disabilities for providing accessible residence from the place of posting and they may be preferred for allotment of ground floor residence. Possibility of existing accommodation being renovated to make them conveniently accessible to persons with disabilities be explored by the Directorate of Estates.

5. As this case is pending for nearly two and a half years and the complainant has not pursued the case, possibly because the concerned authorities not being considerate enough, if his request for change of government quarter has not yet been acceded to, it will be expedient to dispose off the complaint with the direction to the respondent to consider the request of the complainant in accordance with the policy of Directorate of Estates, Government of India if the same is applicable to the employees of North Delhi Municipal Corporation and DOP & T's instructions mentioned above and inform him of the decision within three months from the date of receipt of this order under intimation to this court as required under Section 81 of the Rights of the Persons with Disabilities Act, 2016.

6. The complaint is disposed off accordingly.

7. Given under my hand and the seal of the Court this 13th day of December, 2017.




(T.D. DHARIYAL)
Commissioner for Persons with Disabilities
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