

In the Court of Commissioner for Persons with Disabilities
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
Phone-23216002-04, Telefax: 23216005
[Vested with power of Civil Court under the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995]

Case No. 4/783/2014-Wel./CD /134-35

Dated: 21.4.15

In the matter of :

Sh.Mahesh Kumar

House No.27, Gujranwala Town Part-II,
New Delhi-110009.

..... Petitioner

Versus

Sh.S.C.L.Das

Secretary

Department of Health & Family Welfare
9th Level, Delhi Secretariat,
I.P.Estate, New Delhi-2

.....Respondent

ORDER

1. Sh.Mahesh Kumar a disabled person represented that he suffers from multiple disabilities relating to locomotor and neurological disorder and that he was issued disability certificate by the Department of Neurosurgery Institute of Human Behaviour and Allied Sciences (IHBAS). As per the assessment of the Neuro Surgeon the petitioner suffers from Polytrauma and a disability certificate was accordingly issued on 27.11.2008 with a recommendation that re-assessment may be done after a period of five years. The petitioner was also issued a certificate by the concerned doctors of Hindu Rao Hospital indicating locomotor disability of 30% and it was required that the concerned doctors of the Institute of Human Behaviour and Allied Sciences would recertify the disability. However he was referred back to Hindu Rao Hospital by the doctors of IHBAS on the basis of residential address etc and as the petitioner suffers from multiple diseases. The doctors at Hindu Rao Hospital in the meeting held on 27.9.14 decided that the case of Sh.Mahesh Kumar is required to be decided by the respective designated hospital which is Dr.Bhim Rao Ambedkar Hospital Rohini Delhi and accordingly he was referred to Dr.Bhim Rao Ambedkar Hospital for issue of disability certificate. The petitioner

requested for intervention of this Court for getting the requisite disability certificate as he would not get the disability pension without the certificate.

2. As may be seen the petitioner was being referred to various hospitals citing grounds which may be justifiable from their point of view. A perusal of the notifications issued so far on 31.5.2011, 12.2.2014 and 10.9.2014 indicates that there is no hospital in Delhi which would issue a multiple disability certificate for persons who may be having orthopaedic/locomotor as well as neurological disabilities. The Secretary Health and Family Welfare Government of NCT of Delhi therefore was demi officially requested on 3.11.14 to notify hospital/hospitals which should issue such disability certificates and since such an exercise may take sometime it was suggested that the case of the petitioner may be referred to a hospital as a special case at the earliest as otherwise he would not get the disability pension which is the only source of livelihood for his family as his father is also a disabled person and is not in a position to earn his livelihood.
3. Since there was no response from the Secretary Health and Family Welfare a hearing was held during which the representative of the concerned department informed that the case of the petitioner had been referred on 4.2.15 to Govind Ballabh Pant Hospital for taking necessary action as a special case. The Chairman Disability Certificate Cell of Govind Ballabh Pant Institute of Post Graduate Medical Education and Research informed that a disability certificate was issued to Sh.Mahesh Kumar the petitioner on 6.4.15. In view of the action taken by the Secretary Health and Family Welfare there is no need to pursue the matter further.
4. Ordered accordingly.

Given under my hand and the seal of the Court this 21st day of April, 2015.



Kan-224
21/4/15

(K.S. Mehra)

Commissioner

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