

**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**  
**Email : comdis.delhi@nic.in**

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

Case No.4/781/2014-Wel./CD /2642-44

Dated: 13.2.15

In the matter of :

**Sh.Rahul Kaurav**

S/o Sh.Inder Vikram Singh  
A-25, Amar Jyoti Colony  
DTU (Near DCE)  
Rohini Sector-17  
Delhi

..... Petitioner

**Versus**

**Ms.Garima Gupta**

**Director**

Department of Social Welfare  
GLNS Complex, Delhi Gate  
New Delhi-110002

**Dr.A.K.Mishra**

**Chairman Disability Certificate Cell**

G.B.Pant Hospital  
New Delhi-110001

..... Respondents

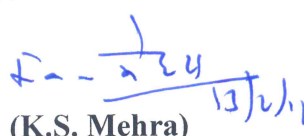
**ORDER**

1. A representation was filed by Sh.Inder Vikram Singh Kaurav father of Master Rahul Kaurav residing at A-25, Amar Jyoti Colony DTU Near DCE, Rohini Sector-17 Delhi stating that his son is under treatment in G.B. Pant Hospital and during the course of treatment he became disabled and requested the authorities in the hospital to issue a disability certificate in favour of Master Rahul Kaurav. The Incharge Disability Certificate Cell in G.B.Pant Hospital recorded his observation on 16.10.14 as follows  
**Quote** "You apply to Medical Superintendent G B Pant Hospital New Delhi for issuance of a Medical Certificate for your illness for which you are under treatment in G B Pant Hospital. On the basis of Medical Certificate you may apply CMO Gwalior for issuance of a Disability Certificate." **Unquote.**

2. On receipt of the representation the Secretary Health And Family Welfare Department Government of NCT of Delhi was requested demi officially by the Commissioner for Persons with Disabilities to advise the hospital authorities for taking appropriate action in the matter as per Rule 3(2)(ii) of the Delhi Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Amendment Rule 2011 which clearly indicates that a Disability Certificate shall be issued by the authority where the petitioner is undergoing /has undergone the treatment and that even otherwise there is no stipulation in the Rules which says that the applicant has to be a permanent resident of Delhi. The petitioner reported to the Department of Social Welfare who in turn informed the Chairman Disability Certificate Cell in G. B.Pant Hospital that the Disability Certificate should be issued under Rule 3(2)(ii) and the representation filed with the Department of Social Welfare was forwarded to the Chairman Disability Certificate Cell G.B Pant Hospital. The Chairman Disability Certificate Cell wrote back to the Deputy Director Department of Social Welfare on 22.11.14 indicating his inability to issue the disability certificate as it was not covered under the relevant Rules.
3. The disability certificate was not issued to him and therefore a hearing was fixed. During the course of the hearing the Chairman Disability Certificate Cell was informed that as per the extant Rules a disability certificate was required to be issued to Master Rahul Kaurav. The Chairman Disability Certificate Cell accordingly issued the certificate as confirmed by the petitioner personally. There is no need to pursue the matter further.
4. Ordered accordingly.

Given under my hand and the seal of the Court this 13<sup>th</sup> day of February, 2015.



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