

69

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](mailto:comdis.delhi@nic.in)  
[Vested with powers of Civil Court under the  
Rights of Persons with Disabilities Act, 2016]

Case No. 4/1581/2017-Well/CD/1761-62

Dated: 08/09/2017

In the matter of:

Sh. Rohtas Singh  
R/o A-29, First Floor, DLF,  
Bhopura, Gaziabad,  
Uttar Pradesh-201005

..... Complainant

**Versus**

The Commissioner  
East Delhi Municipal Corporation,  
419, Udyog Sadan,  
Patparganj Instl. Area,  
Delhi-110096

..... Respondent

Dates of Hearing 06.09.2017

Present: Sh. Rohtas Singh, Complainant  
Dr. M.L. Sharma, Asstt. Commissioner, Shahdara,  
North Zone, Sh. Ritesh Kumar, Labour Welfare  
Supdt. Shahdara South and Shahdara North on  
behalf of Respondent.

**ORDER**

The complaint dated 07.03.2017 of the above named complainant, a person with 89% locomotor disability which was received from the Court of Chief Commissioner of Persons with Disabilities vide letter dated 29.03.2017, was taken up with the respondent vide notice dated 31.05.2017 followed by a reminder dated 25.07.2017. As there was no

reminded date 25.07.2017  
National Capital Territory of Delhi  
Room No. - 1  
25-D, Mata Sundari Road, New Delhi-02

response from the respondent, a hearing was scheduled vide the summons dated 25.08.2017.

2. None appeared on behalf of the respondent on 06.09.2017. However, Dr. M.L. Sharma, Asstt. Commissioner, Shahdara, North Zone and Sh. Ritesh Kumar, Labour Welfare Supdt. Shahdara South and Shahdara North appeared in case No. 4/1616/2017-Wel/CD in Mohd. Shabbir Ahmed Khan Vs. Commissioner East Delhi Municipal Corporation. They were requested to bring the matter to the notice of the concerned Dy. Commissioner/Asstt. Commissioner and to take appropriate action in the matter and submit a report by 19.09.2017. Copies of the relevant papers of the case were also given to Dr. Sharma for handing over the concern Dy. Commissioner/Asstt. Commissioner.

3. The complainant reiterated his written submissions and stated that he met with an accident on 26.11.2012 and lost his right arm. He lost all his property in his treatment and has no other means of livelihood than the kiosk at Anand Vihar Railway Station. He submitted that he may be allowed to earn his livelihood as otherwise he and his family of 9 persons, would have no means of livelihood.

4. This court vide order dated 27.07.2017 has made the following recommendations in case No. 4/1233/2016-Wel/CD in view of the fact that the representations in those cases concern the livelihoods of a large number of persons with disabilities who face adverse situations on day-to-day basis and that the issue of constitution of the Town Vending Committees is before the Hon'ble High Court of Delhi who are seized of the issues connected therewith:

"i. The persons with disabilities, who were vending as on 13.09.2013, should not be disturbed and be allowed to earn their livelihood by selling various articles.

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

ii Persons with disabilities who fulfilled eligibility conditions and had applied for vending licence, allotment of kiosks etc. Before 13.09.2013 but were not issued the licence while those who applied after them, were given the licence, should not be denied vending right on the ground that their names do not exist in the list of registered vendors as they would have been covered under the 'existing vendors' as on 13.09.2013 had their applications been processed in time by the concerned Municipal authorities. Such vendors should however produce the proof of having applied for the vending licence, allotment of kiosks, etc.

iii The concerned functionaries of the Municipalities/Cantonment Board should be properly and adequately sensitised to deal with persons with disabilities with dignity, particularly while seizing and releasing their goods (perishable/non-perishable) which should be released within the prescribed time limit and be considerate in levying fines."

5. A copy of the order dated 27.07.2017 is enclosed with this order.

6. It is expected that the concerned officers would take a sympathetic view and let the complainant earn his livelihood in a lawful and peaceful manner. The complainant is disposed off.

7. Given under my hand and the seal of the Court this 8<sup>th</sup> day of August,

201



**State Commissioner for Persons with Disabilities**

*(T.D. Dhariyal)*  
Court of Commissioner (Persons with Disabilities)  
National Capital Territory of Delhi  
Room No. - 1  
25-D, Mata Sundari Road, New Delhi-02