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**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  
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. 760/1083/2019/02 / 4727 - 4728 Date: 14/08/2019**

**In the matter of:**

**Sh. Ram Kumar Rai,**  
R/o 4/2595, Beadon Pura,  
Barol Bagh,  
New Delhi-110005

..... **Complainant**

**Versus**

**The Commissioner**  
Norht Delhi Municipal Corporation  
4<sup>th</sup> Floor, Dr. S.P.M. Civic Centre,  
J.L.N. Marg,  
New Delhi-110002

..... **Respondent**

**ORDER**

During the proceedings of case no. 594/1111/2018/10 (Sh. Ram Kumar Rai Vs DCP Central District), it was alleged that a large number of PCO booths allotted to persons with disabilities and the quota reserved for them, were illegally transferred/mutated in the name of various persons by one Sh. Vishnu Kumar Sindhi s/o late Sh. Kishan Lal R/o 6759, Gali No-3, Block No. 10, Dev Nagar, Karol Bagh, New Delhi-110005 and others in connivance with then MCD officials. Sh. Ram Kumar Rai was directed to submit a synopsis and supporting documents vide Record of Proceedings dated 01.02.2019 in the said case.

2. The Complainant submitted a Brief synopsis dated 30.01.2019 and also mentioned the names and addresses of the persons accused to be the part of the PCO Mafia.

3. The complaint was taken up with the respondent vide notice dated 27.02.2019 followed by reminder dated 03.04.2019 with direction to submit reply by 12.04.2019.

4. The respondent vide letter dated 29/30.05.2019 informed, *"That in view of the judgment of Hon'ble Supreme Court in WPC No. 1699/1997, change of hands in respect of Tehbazari/PCO booths which have taken place prior to 06.02.2007 can be regularized. It is submitted that in pursuance of the said judgment a resolution was passed by erstwhile MCD vide no. 201 dt. 10.08.2009 and thereafter a policy in this regard was circulated by CL & EC Department vide no. OSD/CL & EC/TTR/2009/532 dt. 09.10.2009.*

2. *That the allegation regarding mutation of PCO allotted to persons with disabilities in the name of Sh. Vishnu Kumar Sindhi is false, frivolous and without any basis. It is submitted that the PCO booth allotted to persons with disabilities was mutated in the name of Sh. Vishnu Kumar Sindhi in pursuance of policy circulated by CL & EC Department vide no. OSD/CL & EC/TTR/2009.532 dt. 09.10.2009.*

3. *That the mutation of PCO booth allotted to persons with disabilities in the name of Sh. Vishnu Kumar Sindhi was done after taking opinion from Law Department.*

4. *That without prejudice it is submitted that already a civil suit no. 151/2012 titled as Viklang Sahara Samiti Delni (NGO) Vs Commissioner, NDMC & Ors is pending in Tis Hazari Court wherein the same issue is pending*

consideration of the Court. A copy of the plaint and written statement filed by the North DMC in this case is annexed herewith.


ADDL. Deputy Commissioner  
Karol Bagh Zone  
North DMC"

5. A copy of the reply dated 29/30.05.2019 was forwarded to the complainant by speed post vide letter dated 20.06.2019 followed by reminder dated 17.07.2019 for filing rejoinder by 31.07.2019. It was also made clear that if the rejoinder was not received by the said date, it would be presumed that the complainant had nothing to say in the matter and the complaint would be disposed off. Thereafter, he was also contacted on his given mobile phone by State Commissioner for Persons with Disabilities himself and advised to submit rejoinder if any. Till date no comments have been received from complainant.

6. In view of the above, the complaint is disposed off.

7. Given under my hand and the seal of the Court this 14<sup>th</sup> day of Aug 2019.



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

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

