

**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  
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[Vested with powers of Civil Court under the  
Rights of Persons with Disabilities Act, 2016]

**Case No. 594/1111/2018/10/1097-1099**

**Dated: 01.03.2019**

In the matter of:

Sh. Ram Kumar Rai,  
4/2595, Beadon Pura,  
Karol Bagh, New Delhi-110005.

.....Complainant

Versus

The Dy.Commissioner of Police,  
(Central District),  
Police Station Daryaganj Complex,  
New Delhi-110002.

.....Respondent

**Date of hearing: 26.02.2019**

**Present:** Sh Ram Kumar Rai Complainant alongwith Sh.  
Deepak Dewan Advocate,  
Sh. Satyapal, Inspector, on behalf of the  
Respondent.

**ORDER**

The above named complainant, a person with 88% locomotor disability vide his complaint dated 05.10.2018 submitted that he runs a PCO booth near Karol Bagh Police Station allotted to him by MCD under the quota reserved for persons with disabilities. He learnt that Sh. Jang Bahadur, a person with disability who had also applied for a PCO booth,

was not allotted the same. He also came to know that Sh. Vishnu Kumar Sindhi in connivance with some employees of MCD had got the PCO booths meant for persons with disabilities transferred in the name of his relatives and friends based on forged documents. Most of such PCO booths have been allotted at the residential address of Sh. Vishnu Kumar Sindhi. He discussed this matter with the Viklang Sahara Samiti and a civil case has been filed in the Tis Hazari Court which is pending. He also informed some television channels about the PCO booth scam. Scrutiny of the papers in respect of Sh. Jang Bahadur revealed that the PCO booth which was allotted in the name of Sh. Jang Bahadur was being run by Sh. Nand Lal Ahuja, who claimed that Sh. Jang Bahadur had sold the PCO booth to him. The fact as per the complainant is that neither Sh. Jang Bahadur sold the PCO booth nor he can do so as per the rules.

2. The complainant alleged that Sh. Vishnu Kumar Sindhi has got a number of PCO booths of disability quota allotted to the members of his family and friends and has given them on rent to those who are not persons with disabilities @ Rs. 50,000/- per month. The complainant has further alleged that Sh. Vishnu Kumar Sindhi has offered money to him and Sh. Jang Bahadur for withdrawing their complaints / cases failing which, he has threatened them of dire consequences. The complainant therefore requested that appropriate action be taken

against Sh. Vishnu Kumar Sindhi and his associates and he be provided police protection.

3. The complaint was taken up with the respondent, who vide letter dated 16.01.2019 informed that:

*“An enquiry into the matter was got conducted through ACP/ Karol Bagh. During the course of the enquiry, it is revealed that in this regard in the complaint of Sh. Jang Bahadur, S/o Sh. Sodan Singh, R/o I\*-27, Vijay Vihar, Rohini, Delhi a case vide FIR No. 199/13 dated 25.08.2013 u/s 420/468/471/474/34 IPC has already been registered at PS Karol Bagh. The present complainant is also a witness in this case. The accused Vishnu Kumar is reported to be the key person in to the matter. Co-accused namely Nand Lal Ahuja was arrested in this case on 27.08.2018. In pursuance of NBW and charge sheet against him has also been filed in the Court. Accused Vishnu Kumar is also not cooperating in the investigation and deliberately avoiding to join the investigation in the case. Hence proceedings u/s 82 Cr.PC has been initiated against absconder / accused. Anticipatory bail application of the accused Vishnu Kumar has been dismissed by the Hon’ble Court.*

*Further as far as the allegations regarding, threat, section 506 IPC has already been added in the case. Statement of the complainant Sh. Ram Kumar Rai has been recorded in which he expressed his satisfaction over the action taken by police. Further investigation of this case is in progress. All possible efforts are being made to arrest the accused persons Vishnu Kumar.”*

4. Thereafter the case was fixed for hearing on 25.01.2019 and during the hearing Sh. Narayan Ojha, Sub Inspector submitted a status report dated 19.01.2019 forwarded by ACP, Karol Bagh. As per the report, the allegations in the FIR, against the individuals involved in this complaint namely, Sh. Vishnu Kumar and Sh. Nand Lal Ahuja who were involved in getting the PCO booths allotted to persons with disabilities transferred in the name of other persons based on forged documents, have been found to be true. While Sh. Vishnu Kumar is right now absconding, Sh. Nand Lal Ahuja was arrested on 27.08.2018 and the charge sheet has been filed in the Court. As Sh. Vishnu Kumar is not cooperating in the investigation, proceedings under section 82 of CrPC have been issued. Section 506 (2) IPC has also been added in the case. As investigation of the case is in progress and all efforts are being made to arrest Sh. Vishnu Kumar and the matter is also sub judice in

various courts, no purpose would be served by keeping this complaint pending and it may be filed.

5. The complainant who was accompanied by Sh. Deepak Dewan, Advocate, submitted that there are about 13 more PCO booths allotted to persons with disabilities but have illegally been transferred / mutated in the name of persons without disabilities. As the complainant had not submitted the names of allottees with disabilities and the supporting documents, Sh. Deepak Dewan, advocate stated that he would file a brief synopsis alongwith relevant documents by 04.02. 2019.

6. The complainant submitted that the people who are involved in the illegal transfer of PCO booths continue threatening him of dire consequences, if he did not withdraw the complaint. They have also given him life threat. The complainant submitted the synopsis dated 30.01.2019 containing the names of the accused persons and those, whose PCO booths under the quota for persons with disabilities were got transferred / mutated by the said Sh. Vishnu Kumar Sindhi in connivance with the MCD officials whose names have also been mentioned in the synopsis.

7. During the hearing on 26.02.2019, the complainant who appeared with Sh. Jang Bahadur reiterated his written submissions and added that he and Sh. Jang Bahadur are being frightened by Sh. Vishnu Kumar

Sindhi and others. The complainant submitted that he fears for his life and requested that he be provided police protection.

8. As per the status report dated 19.01.2019 submitted by ACP, Karol Bagh the complaint is listed for hearing in the Court of Metropolitan Magistrate, Tis Hazari Court for declaring Sh. Vishnu Kumar Sindhi as proclaimed offender since he has not been cooperating in the investigation and is absconding. Sh. Satpal, Inspector informed that as Sh. Jang Bahadur is a resident of I-27, Vijay Vihar, Phase-II near Rohini Sector-5, Delhi, any action with regard to police protection to him will be taken by the concerned Police station of that District. As regards, Sh. Ram Kumar Rai, Karol Bagh Police Station will take appropriate action.

9. The matter with regard to the allegation that Sh. Vishnu Kumar Sindhi and others got the PCO booths allotted under the quota of persons with disabilities illegally transferred / mutated in connivance with MCD officials has been registered as Case No.760/1083/2019/02 based on the synopsis and taken up with the concerned authorities separately.

10. In the light of the above, the respondent is advised to take appropriate action to ensure security of Sh. Ram Kumar Rai. As regards

the security of Sh. Jang Bahadur, DCP, Rohini District, Police Station Begam Pur Complex, Delhi-85 under whose jurisdiction Police Station Vijay Vihar falls, is advised to ensure that Sh. Jang Bahadur, S/o Sh. Seodan Singh is not physically harmed by Sh. Vishnu Kumar Sindhi and others.

11. The case is disposed of.

12. Given under my hand and the seal of the Court this 1<sup>st</sup> day of March, 2019.

**(T.D. Dhariyal)**  
**State Commissioner for Persons with Disabilities**

Copy to the Dy. Commissioner of Police, Rohini District, Police Station, Begam Pur Complex, Delhi-85.