

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

Case No.1280/1121/2019/11/ 9140 - 9142

Dated: 31 /12/2019

In the matter of:

Suo-Motu

Versus

The Secretary,  
Health & Family Welfare Department,  
Govt. of NCT of Delhi,  
9<sup>th</sup> Level, A-Wing, I.P. Estate, Delhi Secretariat,  
New Delhi-110002

.....Respondent No. 1

The Medical Superintendent,  
Janakpuri Super Speciality Hospital Society,  
(An Autonomous Institute),  
Under Govt. of NCT of Delhi,  
C-2B, Janakpuri, New Delhi-110058

.....Respondent No. 2

Administrator,  
Office of the Administrator,  
Asha Jyoti Home, Deptt. of Social Welfare,  
Nirmal Chahaya Complex,  
Govt. of NCT of Delhi,  
Jail Road, Hari Nagar,  
Delhi-110064

..... Respondent No. 3

Date of Last Hearing: - 23/12/2019

Present: - Dr. Yogesh Kataria, Nodal Officer for Respondent No.1.  
Ms. Harsh Bala on behalf of Respondent No. 2 Dr.  
Rachna Bhardwaj for Respondent No. 3 Dr. B.K. Tyagi  
along with Sh.Deepak Singh, Jr. Assistant for JSS

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

## ORDER

During the hearing of the case No. 564/1121/2018/10, Suo-motu Vs. Secretary, Health and Family Welfare Department, Govt. of NCT of Delhi & other on 31.10.2019, Administrator, Asha Kiran informed that 120 residents at Asha Jyoti Home Jail Road, Hari Nagar, Delhi also do not have disability certificates and this court therefore took suo-motu cognizance under the Rights of Persons with Disabilities Act, 2016 hereinafter referred to as the Act, and the respondents were directed the respondents to plan and organize assessment and issuance of disability certificate to all the 120 residents of Asha Jyoti Home, Nirmal Chhaya Complex, Hari Nagar, Delhi by 23/12/2019 and submit a report on or before 23/12/2019 at 11.30 a.m.

2. Incharge, Disability Cell, Janak Puri Super Speciality Hospital Society vide his letter No. F.3(220)/PwD/JSSHS/2019/5789 dated 09/12/2019 has inter-alia informed, as under:

*"JSSHS was going to organize Disability camp for Mental illness with Department of Social Welfare, West District on 17.12.2019 & 18.12.2019 in the premises of JSSHS for residents of West District of Delhi. But due to some reasons Disability Camp is being rescheduled and date of forth coming Disability Camp will be intimated to you very soon."*

3. Dr. B.K. Tyagi, in-charge, Disability Cell of JSSHS appeared for hearing on 23.12.2019 and informed that 52 cases have already been assessed and certificates to them will be issued in the forthcoming disability camp at JSSHS. He also pointed out non-availability of Neurologist, Clinical Psychologist and Speech Therapist hampers expeditious and timely assessment and certification.

4. In the light of the above Medical Superintendent, JSSHS and Chairman Disability Board are directed to organize the camp within one month from the date of receipt of this order, Department of Health and Family Welfare should ensure appointment/posting/deputation of adequate number of specialist doctors/professional in the hospital.

5. This Court be informed of the action taken on the above recommendation within three months from the date of receipt of the order as required under Section 81 of the Act which is reproduced below:

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

" Whenever the State Commissioner makes a recommendation to an authority in pursuance of clause (b) of Section 80, that authority shall take necessary action on it, and inform the State Commissioner of the action taken within three months from the date of receipt of the recommendation:

Provided that where an authority does not accept a recommendation, it shall convey reasons for non-acceptance to the State Commissioner for Persons with Disabilities within the period of three months, and shall also inform the aggrieved person."

6. The matter is disposed of with the above recommendation.

7. Given under my hand and the seal of the Court this 27<sup>th</sup> day of December 2019.



*T.D. Dhariyal*

(T.D. Dhariyal)

State Commissioner for Persons with Disabilities

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