

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. 746/1141/2019/06/ 7961-7963

Dated: 25/11/2019

In the matter of:

Sh. Pradeep Raj (General Secretary),  
Association for Disabled People  
Basti Vikas Kendra, F-1, Sundar Nagri,  
Delhi-110095.

.....Complainant

Versus

The Chief Executive Office ,  
Delhi Urban Shelter Improvement Board,  
Punarwas Bhawan, I.P. Estate,  
New Delhi-110002.  
Email: delhishelter@gmail.com

.....Respondent

Date of hearing: 21.11.2019

Present: Sh. Pradeep Raj, Ms. Suvarna Raj and Sh. Ravi  
Chauhan for the complainant.  
Sh. S.K. Varshney, Executive Engineer, Sh. Narender  
Kumar Meena, UDC, Sh. K.P. Singh, AE on behalf of  
respondent.

### ORDER

The above named complainant, a person with 80% locomotor  
disability in both lower limbs vide his letter dated 30.05.2019 submitted

1

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

that the Association for the Disabled People has been allotted a room at Basti Vikas Kendra, F-1, Sunder Nagri by the Delhi Urban Shelter Improvement Board (DUSIB). The Association is running its office from the said room. He requested DUSIB to take necessary action with regard to problems faced by the Association like security issues due to low boundary wall, cleaning of water tank and making the Basti Vikas Kendra assessable for the persons with disabilities, etc.

2. The complaint was taken up with the respondent vide letter dated 26.06.2019 followed by reminder dated 25.07.2019 under the Rights of Persons with Disabilities Act, 2016 hereinafter referred to as the Act.

3. Sh. S.K. Varshney, Executive Engineer C-8, DUSIB filed a reply dated 20.07.2019, which reads as under:

*"Sub: Regarding problems in maintenance of Basti Vikas Kendra allotted to the Association for Disable People at Sunder Nagri, Delhi-110095.*

*Reference: No.946/1141/2019/06/3088 Dated 26.06.2019.*

*Sir,*

*Kindly refer to the subject and reference cited above regarding the problems in maintenance of Basti Vikas Kendra allotted to the Association for Disable People at Sunder Nagri. In this regard it is informed that:*

- The premise of the Basti Vikas Kendra at Sunder Nagri was allotted to Association for Disable People for social activities but no activities are being done there.*

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

- The premises of the Basti Vikas Kendra allotted to Association for Disable People is not being maintained properly by the organization and no proper arrangement for watch & ward has been made by the organization. Some portions of the BVK Building have been damaged by antisocial elements and had take away the resalable material from the building. In this regard a letter had already been sent to the "Association for Disable People" by this office vide No.EE/C-8/DUSIB/2018-19/476 Dated 04.08.2019 (Copy enclosed)

As per the terms & allotment it is the responsibility of the organization to maintain the building properly and restore the damaged part of the building.

Enclosed: As above.

(S.K. Varshney)  
Executive Engineer C-8"

4. Complainant vide his rejoinder dated 18.10.19 informed that the allegation that the Association is not undertaking any activity and the office is closed, is not correct. The Association mostly conducts sports events and counselling etc.

5. Upon considering the submissions of the parties, a hearing was scheduled on 21.11.2019.

6. During the hearing the complainant added that the Association has engaged a night security guard and it has also incurred a lot of expenditure for minor repairs and day-to-day maintenance. One of the members who sits in the Office, is a wheelchair dancer and other one is a wheelchair cricketer. They often have to go out to participate in the events. However, they are available most of the time during the working

hours.  
Court of Commissioner (Disabilities)  
National Capital Territory of Delhi  
Room No. - 1  
25-D, Mata Sundari Road, New Delhi-02<sub>3</sub>

7. Sh. S.K. Varshney, Executive Engineer, DUSIB stated that as per the reports of the field staff, the room allotted to the Association was found locked on their last visit conducted on 15.11.2019 & 16.11.2019. The Association had submitted the details of the activities for the first time on 20.02.2019 which was without any evidence of the activities stated to have been done by it. As per the terms and conditions of the allotment, the Association is also required to submit the annual income & expenditure statement. He also submitted that raising of boundary wall and strengthening of the grills etc. of the Basti Vikas Kendra will be taken up in the fourth-coming financial year and is likely to be completed by May'2020. It is not possible to do it now because of paucity of funds. As regards day-to-day maintenance, the same has to be done by the user of the premises. He also stated that more space cannot be allotted to the Association at this stage due to the decision of the Board.

8. After hearing the parties, the following recommendations are made:

- (i) Complainant should submit the details of the activities being undertaken by the Association for persons with disabilities alongwith the evidence and details of annual income and expenditure statement for the year 2018-19 to the respondent within 07 days from the date of receipt of this order.

- (ii) Action to raise the boundary wall of Basti Vikas Kendra, F-1, Sundar Nagri, strengthening of its windows and grills and other maintenance of the premises be initiated immediately and be completed by 31.05.2020.
- (iii) Before initiating action for the above mentioned works, a joint inspection may also be conducted by the representatives of the respondent and the complainant to include various items of maintenance for preparation of proper estimate.

9. The case is disposed of.

10. Given under my hand and the seal of the Court this 22<sup>nd</sup> day of November, 2019.



*T.D. Dhariyal*  
( T.D. Dhariyal ) 22/11/19

State Commissioner for Persons with Disabilities

Copy to the Deputy Commissioner of Police (District North East), Police Station Seelampur, New Delhi -110053: For ensuring security of the place in view of the cases of theft as also advised vide order dated 16.10.2019 in Case No. 974/1141/2019/06/6712-13.

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