

**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-110002**

**Phone: 011-23216003-04, Email: [comdis.delhi@delhi.gov.in](mailto:comdis.delhi@delhi.gov.in)**

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

**Dated :27-01-23**

**Smt. Kamlesh w/o Sh. Sheoraj Singh,**  
A-53, Gali No-4, Phase-I, Shiv Vihar,  
Karawal Nagar, Delhi-110054.

**..... Complainant**

**Versus**

**The Director,**  
**Rehabilitation Services, Department of Social Welfare,**  
Porta Cabin, GLNS Complex, Delhi Gate,  
New Delhi-110002.

**..... Respondent No.1**

**The Medical Superintendent,**  
Institute of Human Behavior and Allied Sciences,  
Dilshad Garden, Delhi - 110095

**..... Respondent No.2**

**Case No. : 2819/1023/2022/10/234-236  
Hearing on : 25.01.2023**

**ORDER**

Present: Smt. Kamlesh and Sh. Sheoraj Singh, Complainant  
Shri Shiv Narayan Singh, Superintendent, Shri Nitesh, Jr. Asstt., DSW  
on behalf of Respondent No.1  
Dr. Pravin Yannawar and Dr. Seshan, IHBAS on behalf of Respondent No.2

1. The complaint, Ms. Kamlesh on behalf of her husband Sh. Sheoraj Singh, a person with 40-70% permanent Schizophrenia Paranoid Disability who worked as Junior Assistant in Rehabilitation Services, Department of Social Welfare, Govt. of NCT of Delhi, filed a complaint dated 27.10.2022, under the Rights of Persons with Disabilities, Act, 2016 hereinafter referred to as the Act, for non receipt of her husband's salary since long. She further requested for VRS of her husband which is required to be processed by the Department of Social Welfare. The complainant approached this Court and requested to direct the concerned authorities to release the due salary and actively consider the case of VRS, as he is unable to continue working.

2. The matter was taken up with the Respondent No.1 vide letter dated 04.11.2022 and 08.12.2022. However, no satisfactory reply was received.

3. A hearing was scheduled on 25.01.2023. During the hearing, complainant reiterated her submissions and added that the medical condition of her husband Shri Sheoraj Singh does not allow him to continue in the service and requested for release of his salary and other dues and also to process the case for voluntary retirement.

4. The representative of Respondent No.1 submitted the reply dated 24.01.2023 during the meeting as under:-

- (i) Shri Sheoraj Singh was transferred from Rehabilitation Services to D.C.Office vide Services Department Order No. 71 dated 08.04.2013 and was relieved from Rehabilitation Services vide order dated 11.04.2013. But, Shri Sheoraj Singh did not report for duty to D.C. Office.
- (ii) Shri. Rahul S/o Sh. Sheoraj Singh vide application dated 01.09.2020 submitted Disability Certificate in respect of Shri Sheoraj Singh who was diagnosed with permanent Schizophrenia Paranoid and the disability percentage was 40-70%. .
- (iii) The matter was referred to the Services Department for further directions in the matter and it was advised by Service Department that HOD (Rehabilitation Services) to examine the matter and take a view. The status of illness of Shri Sheoraj Singh was checked and verified from his family besides IHBAS.
- (iv) Sh. Sheoraj Singh, Jr. Assistant submitted application dated 20.09.2021 and requested for Voluntary retirement on medical grounds. IHBAS vide letters dated 07.02.2022 and dated 28.03.2022 was requested to examine the medical condition of Sh. Sheoraj Singh to process his case for voluntary retirement.

5. The representative of Respondent No.2 submitted that IHBAS had already issued the Disability Certificate dated 01.02.2020 in respect of Shri Sheoraj Singh mentioning that he has been diagnosed "Schizophrenia Paranoid", 40-70% (Moderate Disability) and his condition is not likely to improve.

6. After due deliberations and taking into account the submissions of the complainant and the respondents, the Court observed that VRS procedure for Shri Sheoraj Singh should be processed at the earliest and all his dues should be cleared without any further delay. The Department should be more sensitive towards Persons with Disabilities particularly who are under medical condition like that of Shri Sheoraj Singh and directed as under:-

- (i) DSW to clear all the legitimate dues in respect of Shri Sheoraj Singh within next 30 days from the date of hearing and
- (ii) To process and complete the retirement process in respect of Shri Sheoraj Singh on the basis of Disability Certificate already issued by IHBAS without any further delay.

7. An ATR on above directions be submitted to this Court by 24.02.2023.

8. Given under my hand and the seal of the Court this 27<sup>th</sup> day of January, 2023.

**(Ranjan Mukherjee)**  
**State Commissioner for Persons with Disabilities**