

**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

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

Case No.2142/1011/2021/03/547-551

Dated:23/06/21

In the matter of:

Suo-motu

Versus

The Commissioner

North Delhi Municipal Corporation
4th Floor, Dr. S.P.M. Civic Centre
JLN Marg, New Delhi -110002

.....Respondent No.1

The Commissioner

South Delhi Municipal Corporation
9th Floor, Dr. S.P.M. Civic Centre
JLN Marg, New Delhi -110002

.....Respondent No.2

The Commissioner

East Delhi Municipal Corporation
419, Udyog Sadan, Patparganj
Industrial Area
Delhi -110096

.....Respondent No.3

The Chairman

Delhi Subordinate Services Selection Board
FC-18, Institutional Area, Karkardooma
Delhi-110092

.....Respondent No.4

Date of Hearing: 23.06.2021

Present: Sh. M. Mandal, Additional Director (Education), SDMC and Sh. Rishi Pal Rana, Deputy Director(Education) SDMC, on behalf of Respondent No.2
Sh. Biju Raj, Deputy Secretary, DSSSB and Sh. R.P. Singh, Section Officer, DSSSB for Respondent No.4

Sh. Parmesh Kumar F/o Sh. Mohak Kumar alongwith Sh. Rajan Mani (Adv.)

ORDER

A Suo-Motu cognizance regarding non providing of reservation to persons with benchmark disabilities as per the latest notification dated 04.01.2021 issued by Ministry of Social Justice & Empowerment, Govt. of India for the post of Special Educator (Primary) (post code 32/20), advertised by DSSSB vide advertisement dated 04.03.2021, was taken up with the respondents vide notice dated 12.03.2021.

2. Upon considering the response of the respondents and rejoinder dated 06.06.2021 of complainant, a hearing was scheduled on 23.06.2021 at 1200 hrs.

3. SDMC represented the three Municipal Corporations as it takes care the recruitment process for all the three Municipal Corporations. SDMC contended that as these were all backlog vacancies, the latest notification dated 04.01.2021 issued by Ministry of Social Justice and Empowerment, Govt. of India may not apply for these posts.

4. It was clarified and ruled that though these are backlog vacancies but are being filled now i.e. since PwD Act has come into effect w.e.f. 19.04.2017, these vacancies ought to be considered for all categories of persons with disabilities.

5. The post of Special Educator (Primary) is deemed to be identified for Intellectual Disability also.

6. After detailed hearing of all parties, it was agreed upon that a corrigendum be issued by SDMC/DSSSB with respect to opening of this advertisement for a period of 10-12 days as per norms and regulations existing on such issues to facilitate all categories of persons with disabilities identified for this post which were erroneously left out by the user department.

7. It is also recommended that DSSSB, SDMC and all other Government Departments should maintain system of roster with respect to all categories of posts of persons with disabilities.

8. The case was disposed with the above recommendations.

9. This court be informed of the action taken on the above recommendations.

10. Given under my hand and the seal of the Court this 23rd day of June, 2021.

(Ranjan Mukherjee)
State Commissioner for Persons with Disabilities

Copy to : Sh. Mohak S/o Sh. Parmesh Kumar, 173, Nehru Apartments, Kalkaji, New Delhi-110019 with reference to his e-mail dated 17.05.2021.