



Government of National Capital Territory of Delhi
Services Department (Vacancy Cell)
5th level, 'B' Wing, Delhi Secretariat
I.P. Estate, New Delhi - 110002.

Dated:-13/01/23

No.F.16(10)/Court/2018/S-III/Vol.I/26-35

To

All Head of Department,
Govt. of NCT of Delhi,
Delhi/New Delhi.

Sub: WPC 8455/2017 titled as National Federation of Blind Vs. Govt. of NCT of Delhi.

Madam/Sir,

Kindly refer to the subject cited above. In this connection, I am directed to forward herewith copy of Record of Proceedings held in the Court of the State Commissioner for Persons with Disabilities on 11.01.2023 in the matter of WPC 8455/2017 titled as National Federation of Blind Vs Govt. of NCT of Delhi.


In this connection, it is requested to furnish requisite authenticated information/report as per para 3 (ii) a) & B) and (iii) as requisitioned by the State Commissioner for Persons with Disabilities to this department within stipulated time granted by the Commission for onward transmission to the Commission by 18.01.2023 positively through email on monitoringcellservices@gmail.com as well as through SPECIAL MESSENGER.

Further, it is informed that the departments as detailed in para 4 of the Record of Proceedings who have either not submitted their requisite reports or yet to send their revised reports till date, are also requested to ensure that the requisite information is received within in this department within the stipulated time granted by the Commission in order to avoid any penal action for non compliance in the matter by the Commission. This may please be accorded **TOP PRIORITY**.

This issues with the prior approval of the competent authority.

Yours faithfully,

Encl:As above


(AMITABH JOSHI)
DEPUTY SECRETARY (SERVICES)

Dated:- 13/01/23

No.F.16(10)/Court/2018/S-III/Vol.I/ 26-35

Copy forwarded to the following for information and necessary action :-

1. The Hon'ble State Commissioner for Persons with Disabilities, Govt. of NCT of Delhi, 25 D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi.
2. Ms.Awnish Ahlawat, Standing Counsel, Govt. of NCT of Delhi, Plot No.66, the Hub, Okhla Phase-III, Okhla Industrial Area, New Delhi-110020.
3. Sh.S.K.Rungta, Senior Advocate, C-27, Nizamuddin East, New Delhi-110013.
4. PS to the Secretary (Services), Services Department, GNCTD.
5. PA to the Special Secretary (Services), Services Department, GNCTD.
6. PA to the Deputy Secretary (Services), Services Department, GNCTD.
7. The Section Officer (Monitoring Cell), Services Department, GNCTD is directed to compile and maintain the above data on day to day basis. Also it may be ensured that the information is received within the stipulated time from all departments of Govt. of NCT of Delhi.
8. The Section Officer (Co-ordination), Co-ordination Branch, Services Department with the request to upload the same in the official website of the department
9. Guard file.



(AMITABH JOSHI)
DEPUTY SECRETARY (SERVICES)

1947

**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, Telefax: 011-23216005, Email: comdis.delhi@nic.in
[Vested with powers of Civil Court under the Rights of Persons with
Disabilities Act, 2016]

Case No. 2862/1011/2022/12 101-104

Dated: 12/01/2023

In the matter (as listed in Hon'ble High Court, Delhi) of :

National Federation of the Blind

Plot No.-21, Sector 6,
Pushp Vihar, Near Saket District Court,
New Delhi, Pin Code-110017
(Through: Mr. S.K Rungta, Senior Advocate
with Mr. Shivankar Shukla, Advocate)

.....Petitioner

Versus

Govt of NCT of Delhi & Anr

5th Level, B-Wing Delhi Secretariat
I.P Estate, New Delhi-110002
(Through: Services Department, GNCTD
Ms. Avnish Ahlawat, Standing Counsel of GNCTD)

.....Respondent

Date of hearing: 11.01.2023

Present : As per list enclosed at Annexure-I.

Record of Proceedings

In compliance of Hon'ble High Court, Delhi Orders dated 09.11.2022 in Writ Petition (Civil) No. 8455/2017 & CM APPL.34834/2017 in the matter of National Federation of the Blind Vs Govt of NCT of Delhi and Others, the instant matter has been taken into consideration by the State Commissioner of Persons with Disabilities, Delhi in order to hear both parties and pass order in accordance with law.

2. As the Counsel for respondent had committed during hearing on 09.11.2022 that a **department-wise, disability-wise and post-wise detailed**

chart would be prepared for all establishments of GNCT of Delhi and furnishing all details of the posts reserved for the disabled category, post vacant under the category and after preparation of the chart, both Mr. S.K. Rungta, learned Senior Advocate, Petitioner as well as Ms. Avinash Ahlawat, learned Standing Counsel for GNCTD, were committed to share the information with the State Commissioner for Persons with Disabilities.

3. Consequently, the case was fixed and heard in the Court of State Commissioner for Persons with Disabilities, Delhi on 11.01.2023 at 11.30 AM. After due deliberations / discussion and considering the submissions of both the parties, the Court directed as under:-

- i) Services Department is directed to submit the revised consolidated statements as per annexed proforma by **19.01.2023** (at Annexure-II & III).
- ii) In terms of Supreme Court judgement dated 08.10.2013 every Establishment is bound to maintain a separate vacancy wise 100 point roster in terms of DoP&T's OM of 29.12.2005 & 15.01.2018. Now since the Hon'ble High Court has desired the State Commissioner for Persons with Disabilities, Delhi to arrive at a conclusion whether proper representation has been done in terms of the Act and the judgement of the Supreme Court, every Head of Establishment / Department is hereby directed to take immediate actions as under:-
 - a) Submit a copy of **Vacancy Based 100 Point Roster** (Group-wise for Direct Recruitment) maintained by their establishment to the Services Department, GNCTD by **18.01.2023**.
 - b) Submit a copy of **Vacancy Based Roster in Promotion** alongwith statement showing the promotion made year-wise and reservation provided year-wise to each category of disability separately to the Services Department, GNCTD by **18.01.2023**.
- iii) An affidavit to this effect should also be submitted by each Head of Department to the Services Department that the information provided fully complies with the Rights of Persons with Disabilities Act & Rules and judgements of Hon'ble Apex Court passed in this regard time to time.

4. It was noticed that total 12 major recruiting departments viz:-

- (a) Education Department
- (b) Social Welfare Department
- (c) WCD Department
- (d) H& FW Department
- (e) Forest & Wildlife Department
- (f) Land & Building Department
- (g) MCD
- (h) Food & Safety
- (i) NDMC
- (j) Training & Technical Education
- (k) Delhi Financial Corporation
- (l) Delhi Agricultural Marketing Board

Head of Departments to submit
an affidavit as per Para 3(iii) above

have either not submitted their requisite reports or yet to send their revised reports till date. Thus, the Head of these Establishments / departments are hereby directed to ensure the compilation of the requisite data and submit the same to the Services Department on urgent basis by **18.01.2023** so that the matter could be discussed with Services Department & Counsels of both parties on 20.01.2023 in the Court of SCPD.

5. Non-compliance of above directions will be viewed seriously and tantamount to violation of Section 93 of the RPwD Act, 2016 and will liable to be penalised under Section 89 of the RPwD Act, 2016, which are reproduced as under:-

"93. Whoever, fails to produce any book, account or other documents or to furnish any statement, information or particulars which, under this Act or any order, or direction made or given thereunder, is duty bound to produce or furnish or to answer any question put in pursuance of the provisions of this Act or of any order, or direction made or given thereunder, shall be punishable with fine which may extend to twenty-five thousand rupees in respect of each offence, and in case of continued failure or refusal, with further fine which may extend to one thousand rupees for each day, of continued failure or refusal after the date of original order imposing punishment of fine".

"89. Any person who contravenes any of the provisions of this Act, or of any rule made thereunder shall for first contravention be punishable with fine which may extend to ten thousand rupees and for any

subsequent contravention with fine which shall not be less than fifty thousand rupees but which may extend to five lakh rupees”.

6. The case will next be heard on **20.01.2023 at 11.30 AM.**

7. Given under my hand and the seal of the Court this 11th day of January, 2023.



Encl: As above.

(Ranjan Mukherjee)

State Commissioner for Persons with Disabilities

National Capital Territory of Delhi

Room No. - 1

25-D, Mata Sunderi road, New Delhi-02

Copy to:

1. All Head of Departments, Govt. of NCT of Delhi for compliance.
2. The Chief Secretary, Govt. of NCT of Delhi, 5th Floor, Delhi Sectt., I.P.Estate, New Delhi-110002 for information please.

Phenylene II

Subject:- WPC No. 8455/2017 titled as National Federation of Blind Vs Govt. of NCT of Delhi.

Brief of Backlog vacancies in above said matter.

As on _____

Details of Direct Recruitment

[illegible]

Attendance Sheet

Hearing


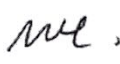

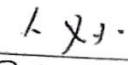
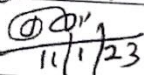
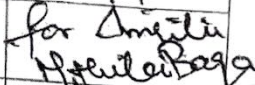
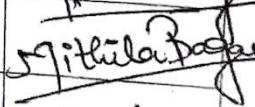
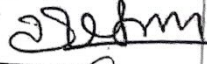


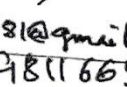
Case No.2862/1011/2022/12

Date and Time : 11.01.2023 at 11.30 AM

Name of Parties : National Federation of the Blind
(Through: Mr. S.K Rungta, Senior Advocate
with Mr. Shivankar Shukla Advocate)

Vs.

Govt of NCT of Delhi & Anr.
(Through: Services Department, GNCTD/
Ms. Avnish Ahlawat, Standing Counsel of GNCTD)

S.No.	Name/Designation	Mobile Number	E-mail	Signature
1.	Dr. Satevcha Singh Advisory Board, SCW EUMS 297B HUB	97717 82076	ssingh@ uems.ac.in	
2.	Dr. Madhuniel Puri.	9810003512	madhuniel puri@gmail. com	
3.	Prof. ANIL .K. ANEJA	9871495050	anil-aneja@gmail.com	
4.	S.K. RUNOTA	9312607540	NFBS EC .g @gmail.com	
5.	कुलानंद जोशी spl sup (Services)	987125 1234		
6.	Dr. Smriti Singh	8800185949	smriti106 jiu @ gmail.com	
7.	Dr. Mithila Bagai	9868524799	mithilabagai @ gmail.com	
8.	Raghu Nath (Senior Deptt) Section officer	9540008851	rngoswami.1264 @gmail.com	
9.	Vinod Kumar Section Officer	9910022366	do	
10.	Bhairab Dutt Secy, Secretary (Services)	9999000368	do	
11.	Nilesh K. Singh	9811665251	do	
12.			nitesh kumar singh 1981@gmail.com 9811665251	

