



सत्यमेव जयते

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न्यायालय मुख्य आयुक्त विकलांगजन
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES
 विकलांगजन सशक्तिकरण विभाग / Department of Empowerment of Persons with Disabilities
 सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment
 भारत सरकार / Government of India

Case No.: 3050/1101/2014

Dated: 04.08.2017
Dispatch No.....

In the matter of:

Shri Nagender Singh Yadav
 C-85A, JVTS Garden
 Chatterpur Ext., New Delhi-110074
 Email:nagenderyadav@gmail.com

-P-2563

.....Complainant

Versus

All India Institute of Medical Sciences
 Through : the Director (Administration)
 Ansari Nagar, New Delhi - 110016

-P-2564

.....Respondent

Date of Hearing : 01.06.2017

Present :

1. Complainant - Shri Nagender Singh Yadav
2. Respondent - Absent

ORDER

Shri Nagender Singh Yadav filed a complaint dated 31.10.2014 regarding inaccessibility in AIIMS under Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 hereinafter referred to as the Act.

2. The complainant submitted that Prosthetic & orthotic Workshop, Deptt. of P.M.R. at All India Institute of Medical Sciences (AIIMS), New Delhi is not accessible for persons with disabilities which is meant for them for providing the assistive aids and thus the population visiting this office is bound to have accessibility issue. This place does not have even basic facility for the handicapped patients.

3. The matter was taken up under Section 59 of the Act with the Director (Administration), AIIMS vide this Court's letter dated 18.02.2015.

4. Administrative Officer (Legal Cell), AIIMS vide their letter no. 35-4/2015 (Misc)-Legal Cell dated 17.04.2015 intimated that the AIIMS, New Delhi constituted under the Act of Parliament "AIIMS Act 1956" is a premier and prestigious national importance Institute of India. The Institute is discharging its responsibilities towards highly Medical research and medical education with a view of self sufficiency in the medical area. The Institute always follows the rule, Regulations instructions/ Orders, as issued from time to time by the Govt. of India. On perusal of said complaint of Shri Nagender Singh Yadav, it has been found that he visited the Prosthetic & Orthotic Workshop, Deptt. of P.M.R. in the month of October 2014 when the temperature would not be so pinching. Moreover, there are ceiling and pedestal fans functional in the Workshop for proper airing in the days of soaring heat. However, the said Building is under renovation with installation proper AC and other facilities which is at present at advance stage. As far as ramping and more accessibility are concerned, the Workshop is having the ramps and friendly accessibility to the workshop and inside toilets for the Disabled persons. All the times the wheel chairs are also available for the use of visitors/patients in AIIMS Hospital area. Moreover, the entire building of P.M.R. workshop is going to be more friendly to the disabled persons shortly.

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 (कृपया भविष्य में पत्राचार के लिए उपरोक्त फाइल/केस संख्या अवश्य लिखें)
 (Please quote the above file/case number in future correspondence)

5. The copy of the reply from respondent was sent to the complainant for submission of his comments/rejoinder in the matter within 15 days vide this Court's letter dated 14.05.2015.

6. Shri Nagender Singh Yadav, complainant vide his letter dated 04.06.2015 submitted his rejoinder/comments on respondent's reply as under:-

"Item 1,2 – General mentioned Facts and do not require any comments.

Item 3- Would again like to point out that it is not just the question of facing hardship by the undersign rather it is for the cumulative cause for entire disable community visiting the facility. In spite the best efforts from the cordial, efficient and most helpful staff and supervisor at the workshop and their efforts to reduce the waiting time, it is the available infrastructure which is causing problem. In the month of May-Jun-Jul, the condition is far more pathetic when patients have to wait for their turn in scorching heat, condition worsen on Thursdays.

Item 4- Here no completion dates are mentioned and general wage statement is given. The accessibility of water cooler and toilet is evident from the pictures enclosed with the original complaint. This is clear violation of the Act. He requested the Hon'ble Court to appoint somebody to visit and see the ground situation."

7. Vide this Court's letter dated 29.06.2015, the copy of complainant's rejoinder was forwarded to the respondent to intimate the present position of the case so that a final view can be taken in the matter followed by reminder letter dated 14.10.2016.

8. Upon considering the written statements of both the parties, a personal hearing was fixed in the matter on 01.06.2017.

9. The matter was heard as scheduled and it has been decided to constitute an Access Audit Team for audit in the "AIIMS" in this regard. The Chief Commissioner has directed that an Access Audit Team be constituted, which will submit its report to this Court with a copy thereof to the respondent after such audit. The case is disposed off.



(Dr. Kamlesh Kumar Pandey)

Chief Commissioner
For Persons with Disabilities