



सत्यमेव जयते

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.: 4423/1081/2015

Dated: 11.08.2017
Dispatch No.....

In the matter of :

Dr. Nitesh Kumar Tripathi, *R2878*
H. No. C-184, Beghum Vihar Extension
Beghumpur,
Delhi – 110 086
Email<niteshtripathi85@gmail.com>

.....Complainant

Versus

The National Buildings Construction Corporation Limited,
(Through the Chairman),
Corporate Office,
NBCC Bhawan,
Lodhi Road,
New Delhi – 110 003 *R289*

..... Respondent

Date of Hearing : 11.05.2017

Present :

1. Complainant - Absent
2. Shri Sanjeev Kumar, Addl. General Manager (HR) and Shri J. Chandaran, Manager (HRM)
– On behalf of Respondent

ORDER

The above named complainant, a person with 65% locomotor disability, filed a complaint dated 26.05.2015 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 hereinafter referred to as the Act, against not implementing the Persons with Disabilities Act, 1995 by respondent.

2. The matter was taken up with the respondent under Section 59 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 vide letter dated 11.06.2015.

3. The Executive Director (Real Estate), NBCC Limited vide letter No. RED/HO/2015/3880 dated 24.07.2015 has submitted that the complainant has never given any representation to NBCC Limited regarding his above mentioned grievance. NBCC is neither wholly nor substantially

financed by the Central Government. The Persons with Disabilities Act, 1995 does not apply to

NBCC Limited as far as its Real Estate projects are concerned because NBCC Limited cannot be

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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)

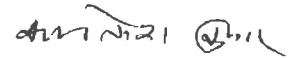
considered as Appropriate Government. NBCC Limited is not in the business of allotment of land for houses/shops as mentioned in Section 43 of Persons with Disabilities Act, 1995. A copy of Respondent's reply dated 24.07.2015 was sent to the complainant vide this Court's letter dated 18.08.2015 for his comments.

4. Upon considering respondent's reply dated 24.07.2015, a personal hearing in the matter was scheduled on 11.05.2017 at 15:00 Hrs.

5. The complainant vide his email dated 11.05.2017 has informed this Court that due to some health related issues, he is unable to attend the hearing.

6. The representatives of Respondent submitted that NBCC Limited is not in the business of allotment of land for houses/shops as mentioned in Section 43 of Persons with Disabilities Act, 1995. NBCC Limited is working as PMC just like Central Public Works Department (CPWD) and that they are building the projects and handing over the same to the Government.

7. Finding no violation of any right of the persons with disabilities by the Respondent in this matter, the case is disposed off without any direction to the respondent.



(Dr. Kamlesh Kumar Pandey)
Chief Commissioner
for Persons with Disabilities