

**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@nic.in

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

Case No. 3309/1101/2024/01/273-278

Dated: 25/01/2024

Dr. Satendra Singh,
Director Professor of Physiology,
University College of Medical Sciences
and Guru Teg Bahadur Hospital

..... **Petitioner**

Versus

Pr. Secretary (Health & Family Welfare),
GNCT of Delhi.

Pr. Secretary (Public Works Department),
GNCT of Delhi.

The Engineer-in-Chief, Public Works Department,
GNCT of Delhi

All District Magistrates,
Govt. of NCT of Delhi.

All Directors/Medical Superintendents,
Hospitals of GNCT of Delhi.

..... **Respondents**

ORDER

Dr. Satendra Singh, Director Professor of Physiology, University College of Medical Sciences and Guru Teg Bahadur Hospital vide email dated 24.01.2024 has brought following facts about inaccessibility for persons with disabilities in hospital premises :-

- (i) Despite the progressive legal mandate, the hospitals in Delhi Government are not yet accessible to persons with disabilities (patients, faculty with disabilities, staff with disabilities). Common examples include MAMC's auditorium not being accessible, reserved parking not

close to the entrance, and the library not being accessible. The BSA Hospital's Physiology department and academic block do not have a lift despite this medical college being the newest one to be built. The GTB Hospital, of which the petitioner is the nodal officer, has written multiple times to the Public Works Department to share access audit but it hasn't been done. Moreover, the new hospital building at GTBH and other hospitals which are under progress and should follow the accessibility standard right from the beginning of construction of the new building with the involvement of administrators or persons with disabilities.

- (ii) Ministry of Health and Family Welfare has released Accessibility Standards for Healthcare in 2022 but the hospitals are slow to follow it in letter and spirit.

2. In order to fulfil the legal mandate under Sections 40-44 of the RPwD Act 2016, the petitioner and the advisory board member of SCPD Delhi requested this Court to direct the concerned authorities to do the needful at the earliest.

3. In this connection, it is brought to the notice of respondents that this Court had taken a suo-motu (Case No. 2552/1101/2022/04) regarding barrier free entry and exits of hospitals and barrier free accessibility for persons with disabilities and orders were passed accordingly on 30.06.2022. But it has been observed that the outcome is not satisfactory. State Commissioner also conducted inspections of MCD zones regarding accessibility and barrier free movement for persons with disabilities in the National Capital Territory of Delhi, in continuation of another Suo Motu (Case No.2345/1101/2021/09) taken by SCPD on the subject.

4. As per the minutes and recommendations dated 14.06.2018 of the 16th National Review Meeting of the SCPDs to review the status of implementation of RPwD Act, 2016, held at Vigyan Bhawan, New Delhi, District Magistrates should be nominated/appointed/Declared as Additional Commissioner for PwDs. The same is under process at Social Welfare Department, GNCT of Delhi.


5. Taking into account the representation of the petitioner and the overall situation of accessibility in hospitals of GNCT of Delhi, the following is ordered/ recommended :-

- (i) All District Magistrates are directed to make sure that all hospitals under their District are made fully accessible for persons with disabilities and action taken report be submitted to this Court within 90 days from the issue of this order.
- (ii) All Directors/Medical Superintendents of all hospitals of GNCT of Delhi are directed that each and every department/lab/other rooms/drinking water/toilets etc. are made accessible for persons with disabilities and action taken report be submitted to this Court within 90 days from the issue of this order.
- (iii) Engineer-in-Chief, Public Works Department should direct all Executive Engineers of PWD that all out efforts be made with the concerned hospitals authorities to make each and every place of the hospitals accessible for persons with disabilities.

These orders be followed in Mission Mode,

6. Given under my hand and the seal of the Court this 24th day of January, 2024.




(Ranjan Mukherjee)
State Commissioner for Persons with Disabilities
Court of Commissioner (Disabilities)
National Capital Territory of Delhi
Room No. - 1
25-D, Mata Sundari road, New Delhi-02