



**COURT OF
STATE COMMISSIONER
FOR RIGHTS OF PERSONS WITH DISABILITIES**

**SMT. B. SHAILAJA, M.A., L.L.B
STATE COMMISSIONER**

NOTICE

Case No. RPwD Act/ 3001 /2019

Date: 29.06.2019

To

The Collector & District Magistrate,
Karimnagar District,
Telangana.

Sub: RPwD Act, 2016 – Representation of Sri Mohd. Shaik Khadar,
R/o. Karimnagar District – Alleged in justice in allotment of
shutter by IRC Society – Conduct of enquiry into the matter –
ATR called for – Reg.

Ref: 1.Lr. No. D/3001/2018, dated 03-05-2018 of Director & State
Commissioner for RPwDs addressed to the Collector,
Karimnagar.

2.Lr. No. D/3001/2018, dated 20-10-2018 State Commissioner
for RPwDs addressed to the Collector, Karimnagar.

3.Proceedings of the Collector & District Magistrate No.
H3/1778/2017 dated 22-12-2018.

4.Proc. No. H5/1698/2018, dated 22-12-2018 of the Collector &
District Magistrate, Karimnagar district.

5.Petition filed by Sri Mohd. Shaik Khadar, R/o. Karimnagar
received on 12-06-2019.

The State Commissioner, RPwD Act, 2016 intend to bring the above
correspondence to the notice of the Collector & District Magistrate. Brief
facts of the petition are: that Sri Mohd. Shaik Khadar, R/o. Karimnagar has
submitted a petition to the Court of the State Commissioner, RPwD Act,
2016, for conducting a detailed enquiry into the whole process of allotment
of shutters available with Indian Red Cross Society and expressed that some
shutters are under illegal custody and requested to allot one shutter to him
keeping in view of his disability as per rules by calling fresh notification for
allotment of vacant shutter. The petitioner also further stated that he has

met with discrimination due to his disability at the Indian Red Cross Society, Karimnagar.

The Collector & District Magistrate was asked to conduct detailed enquiry into the matter and explore the possibility of allotment of shutter belonging to IRC to the petitioner who is also a PwD and to furnish Action Taken Report to the State Commissioner within (3) weeks vide reference 3rd cited. But No ATR is received in the matter so far from the Collector & District Magistrate except a copy of the Proc. No. H3/1778/2017 dated 22-12-2018 and Proc. No. H5/1698/2018, dated 22-12-2018, issued in the name of Collector & District Magistrate, Karimnagar signed by the DRO, marked to the Director & State Commissioner for PwDs, Hyderabad.

The contents of the proceedings are inconclusive and did not cover the request of the petitioner and when the State Commissioner asked for an ATR marking a copy of incomplete proceedings leads to violation of provisions of RPwD Act, 2016.

It is felt necessary to bring it to your notice that as per Section 82 of RPwD Act, 2016, every Proceeding before the State Commissioner shall be a judicial proceedings within the meaning of Section 193 and 228 of the IPC (45 of 1860) and the State Commissioner shall be deemed to be a Civil Court for the purpose of Section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

In the absence of required justice to the petitioner, he again filed another petition seeking detailed action on the matter.

Copy of the Petition is herewith sent for taking detailed enquiry in the matter and to take appropriate action and send the Action Taken Report to the Court of State Commissioner within (15) days after receipt of this Notice.

If the ATR is not received within (15) days further cause of action will be initiated as per RPwD Act & Rules without further intimation.

**Sd/-
STATE COMMISSIONER**

Copy to Sri Mohd. Shaik Khadar for information.

// Forwarded By Order //

OSD TO STATE COMMISSIONER

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