



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. 4726/1101/2015

Dated : 07.02.2017  
Dispatch No.....

In the matter of :

Shri Tusar Kanti 0756  
Email<tkpal50@gmail.com>

.....Complainant

Versus

Department of Posts, 0757  
(Through Secretary),  
Ministry of Communications & IT,  
Dak Bhawan,  
Sansad Marg,  
New Delhi - 110 016

.....Respondent

Date of Hearing : 05.01.2017

Present :

1. No one appeared on behalf of Complainant.
2. Shri Prabhudas Xalxo, ADG (Bldg.), Ministry of Communications and Shri Satyagobinda Giri, Sr. Suptd of Post, South Hooghly Division - On behalf of Respondent.

**ORDER**

The above named complainant, filed a complaint dated 06.07.2015 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred to as the 'Act' regarding shifting of Bhadrakali Post Office due to prevalence of unhygienic, unfriendly and unsafe infrastructure at the premises.

2. The complainant submitted that the Bhadrakali Post Office is inaccessible to persons with disabilities like him and it needs to be shifted to a place so that the persons with disabilities do not have any problem in accessing the Post Office. He submitted that despite direction of the Postal Directorate, Office of the Chief Postmaster General, West Bengal Circle, Kolkata, no action has been taken in this regard in the right direction.

3. The matter was taken up with the Secretary, Department of Posts vide this court's letter dated 30.07.2014.

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4. The Director (E&MM), Ministry of Communications and Information Technology, Deptt. of Posts vide letter dated 29.01.2016, Bhadrakali Post Office is a triple handed delivery Post Office functioning in rented accommodation in a supermarket provided by Uttarpara Kotrung Municipality since 17.05.1997. The building is in sound structural condition and has its own toilet and drinking water facility. As it is a rented accommodation, rent facility for difficulty differently abled citizens is not available in the Post Office at present. However, they have taken up the matter with the concerned municipality to get needful done for persons with disabilities on priority and the process for the same has already started. They are also looking for other alternative location in their vicinity, keeping in view the needs and difficulties of the elderly and differently abled persons. The Bhadrakali Post Office is a very busy Post Office having 13377 account holders of various types of Saving Bank schemes. The Post Office is serving hundred customers per day. Any re-location to a distant place will have an adverse impact on the present customers.

5. The complainant vide his rejoinder dated 05.04.2016 submitted that the Department of Posts has neither constituted the required Fair Rent Assessment Committee (FRAC) nor indicate their price for taking on rent the said accommodation and also has not processed the case in a positive manner. He submitted that even after 4 years of initiation, the commitment of the Department towards upgrading the post offices proved itself wrong and a strong attempt to dilute the whole issue without doing anything at Ground Zero.

6. After going through the comments on both parties, a hearing has been fixed in the said matter on 05.01.2017.

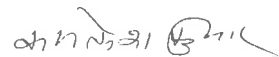
7. The complainant vide his letter dated 10.12.2016 expressed his inability to attend the hearing as he is not fit to travel alone to attend the hearing. However, he submitted that neither the Bhadrakali Post Office has been shifted to a 'Universally Accessible' site nor the existing Post Office has been renovated. He further stated that Bhadrakali Byabasayee Samity, a local

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Traders' Association, who had initiated the case, is relentlessly engaging them whole-heartedly to pursue the case of shifting of Bhadrakali Post Office to a ground floor accommodation very near to the existing site of the post office so that a large number of Persons with Disabilities and Senior Citizens could be benefitted.

8. The Respondent vide their written submission dated 04.01.2017 submitted that Bhadrakali post office with an area of about 700 Sq. ft. is triple handed delivery Post Office working out of premises at 1<sup>st</sup> Floor provided by Uttarpara Kotrung Municipality since 18.05.1997. The building is a supermarket located centrally. It has own toile and water facility. The Department of Post had approached the Municipal Authority (Owner of the building) to get it repaired and also search for a suitable alternative location against one mass petition by Bhadrakali Byabasayee Samity. They got some response but could not finalise due not getting a proper accommodation with the required area. The rent claimed was exorbitant and in some cases the building was under construction, unhygienic and not suitable to a post office. An alternate premises situated at 96 Nilmoni Some St, Bhadrakali, Dist-Hooghly situated on ground floor was located by the respondent post office. The said building is suitable to pensioners, senior citizens and persons with disabilities. The Department approved for constitution of the Fair Rent Assessment Committee on 29.12.2016 towards fixation of rent. In the meantime, the Chairperson Uttarpara Kotrang Municipality (Owner of the existing post office building) agreed to take up the renovation and interior painting and also roof treatment. The existing rate of rent is Rs.8.33/- per Sq. ft. whereas the rent demanded by Shri Choudhury for the new premises is Rs.35/- Sq. ft. The respondent further stated that the Bhadakali Post Office is a very busy Post Office and serves a good number of customers per day and any relocation of it may have adverse impact on the service rendered to number of public.

9. The case is disposed off without any direction.



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