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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4792/2017

VANDEMATRAM KUSHT ROGI SEWA SAMITI Petitioner

Through: Mr.Avneesh Garg, Mr.M.T.Reddy,
Mr.Neeraj Sharma, Advs.

versus

GOVT. OF NCT OF DELHI & ANR

..... Respondents

Through: Ms.Warisha Earasat, Ms.Shruti Narayan,
Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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13.02.2020

1. This petition has been filed by the petitioner in a representative capacity, praying for a direction to the respondent to revise the cut off date prescribed in the RCL Scheme.
2. It is the case of the petitioner that the RCL Scheme has been implemented since 1981 with the aim and object of providing financial assistance for the sustenance and welfare of the Laprosy Affected Persons (LAP's) who are residing in the territory of the NCT of Delhi. The Scheme was implemented by an Office Order dated 05.09.1989, wherein the LAP's were provided financial assistance of Rs.300/- per person per month in lieu of ration allowance, clothing, bedding, general articles, medicines, etc. The Scheme was revised by an Office Order dated 18.04.1995, whereby such financial assistance was enhanced to Rs.450/- per person per month. The petitioner asserts that thereafter there has been no further revision in the Scheme

and it applies only to persons who were residing in Delhi till 1993. The petitioner has also made repeated representations seeking revision of the cut off date, however, the respondents by a decision dated 03.10.2008, had decided not to extend the benefit of the Scheme to the new entrants in Delhi. The learned counsel for the petitioner submits that there has been no further consideration of the issue by the respondent thereafter.

3. The learned counsel for the respondent submits that the LAP's are also entitled to a benefit under Section 2(i)(iii) of the Persons with Disabilities Act, 1995 (hereinafter referred to as the 'Act'). She submits that while the Department has sympathy for the members of the petitioner's society, but the LAP's can avail benefits under the said Act.

4. The learned counsel for the petitioner in rejoinder submits that the benefits granted under the Act are restricted as compared with those granted under this Scheme. He also submits that in any case, those benefits would be in addition to the one granted under the Scheme.

5. Be that as it may, as the question of extension of benefits of the Scheme to persons who came to reside in Delhi after 1993 was admittedly last considered by the respondent only in the year 2008, in my opinion, it is time to have a fresh look at this issue, keeping in view the social objective of the Scheme.

6. In view of the above, the present petition is disposed of directing the respondents to consider the contents of the present petition as a representation to the respondents to re-consider the cut

off date for the abovementioned Scheme.

NAVIN CHAWLA, J

FEBRUARY 13, 2020
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