

From

NISSAM.H, A.A.HOUSE, Near CHEMPOOR L.P.S,
MUDAKKAL P.O, THIRUVANANTHAPURAM-695 103.

036925

To

The State Public Information Officer,
Directorate of Social Justice Department, Vikas Bhavan, Thiruvananthapuram- 695 033.,

Sir,

Sub: Application of Right to Information Act 2005.



Ref: 1. No.1854772/2017//MIN (HEALTH), dated 05.10.2017 forwarded to Director,
Social Justice Department.

2. My request dated: 19.10.2017 submitted same day of your office.

I had submitted a serious complaint before the respected Minister of Social Justice, Government of Kerala. The complaint dated: 22.07.2017 was forwarded to your office from Minister of Social Justice as per reference No.1. So a request had submitted your office on 19.10.2017 under reference No.2.

Therefore please give me all information and documents of further process in above said reference No 1 and 2 of your office.

30.10.2017.

Yours Respectfully
NISSAM.H

Enclosure: Reference 1 and 2 -4 pages.

Handwritten text in Malayalam script at the bottom of the page.

Registered with Acknowledgment.
Most Urgent and Disability Affairs.

From

NISSAM.H, A.A.HOUSE, Near CHEMPOOR L.P.S,
MUDAKKAL P.O, THIRUVANANTHAPURAM-695 103.

To

The Director,
Directorate of Social Justice Department, Vikas Bhavan P.O, Tvpm-695 033.

Respected Sir,

Sub: My request in my complaint dated: 22.07.2017 of forwarded you from Minister (Social Justice).

Reference:

1. My complaint dated: 22.07.2017 submitted to the honourable Minister of Social Justice, Government of Kerala at Thiruvananthapuram.
2. No.1854772/2017/Minister (Health), Dated: 06.10.2017 forwarded you.
3. GO (P) No.13/2000/SWD, Dated: 19.06.2000, Section 7.
4. GO (P) No.39/2012/SWD, Dated: 30.06.2012, Section 9.
5. GO (P) No.9/2013/SJD, Dated: 03.01.2013, Section 2(b).
6. GO (P) No.86/2010/SWD, Dated: 30.11.2010.
7. Proceeding No. 8136/D2/2012/SWD, Dated: 06.09.2012 of the Principal Secretary, Social Welfare Department, Govt. of Kerala.
8. My Appellate Medical Board Certificate Dated: 13.02.2013.
9. My Medical Certificate dated: 14.05.1998.
10. My Medical Certificate dated: 11.04.2000.
11. No.VIG/AVI/3831/09/1297, dated: 15.06.2009 of the Chief Vigilance Officer, KSEB.
12. My disability Certificate dated: 19.09.2009
13. My Disability Certificate dated: 30.05.2008
14. Seeking opinion document of power (A) department dated: 4.2.2016.
15. No. 85942/D3/16/SWD, Dated: 04.10.2016 of the Additional Secretary same matter.

1. I had submitted a serious complaint before the honourable Minister of Social Justice of Kerala. (Reference No.1, See Page No. 4 and 5). The complaint was forwarded you for further process as per Ref -2 (Page No.6). My complaint is main contending do not creation of an opinion from your department as per my Appellate Medical Board Certificate, Dated: 13.02.2013. So is deep denial of my disability protection of Persons with Disabilities (Equal opportunities. Protections of Rights and Full Participation) Act, 1995 under Section 47.

NISSAM H

2. The Government of Kerala issued the power conferred by sub-section (1) read with sub-section (2) of Section 73 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. (Central Act of 1996). The Government of Kerala hereby made the following rule reference 3, 4 and 5 [See page No.19 to 25] also an order of reference No. 6 [See page No. 17 and 18]. My Appellate Medical Board Certificate No.G2/9131/2011/MCH/TVM, dated: 13.02.2013 is certain legally value as per aforesaid all rules of government and the order.
3. I am entry in KSEB service on 16.05.1998. Thereafter were disability formed my KSEB service only. An Appellate Medical Board for Constituted genuine of my disability under proceeding of government as reference 7. [See page No. 7]. The Appellate Medical Board Certificate dated: 13.02.2013. Also certify in the certificate is duration of my mental illness 8 years with disability from certificated dated. So my disability were formed '13.02.2013 - 8 = 13.02.2005.' Also my work disability is 'SEVERE'. The disability is permanent. (See the disability certificate Reference No.8 and page No.8).
4. The Mental Disability is including as per Section 2(i) (vii) of Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act, 1995.
5. The Appellate Medical Board was constituted as per government direction of your department only. (See true copy of the letter as per Ref -7 and page No.7). So was earned the Appellate Medical Board Certificate in my custody. That is legally.
6. 'Section 47 of the PWD Act, 1995 means an employee who acquires a disability during his service.' 'Service means as per KS and SSR 1958 Section (15): Remaining of a lien or incumbency'.
7. My disability was acquired during the aforesaid my KSEB service only. So 'I am eligible to section 47 of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 as per the Appellate Medical Board Certificate Dated: 13.02.2013.' This fact is humbly submitting you for urgent creation of an opinion of seeking power (A) department of file No.4067/A2/2015/PD.
8. The Additional Secretary, Social Justice Department is stated [vide Reference-15] eligible to protecting of Section 47 acquiring disability during the service. My disability was acquired during the service only. [The letter is enclosed as per page No.26].
9. Please assess the document No 846839/D3/16/SJD, Dated: 24.09.2016 of Social Justice Department as page No. 27.

19.10.2017

Signature of the Applicant:

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Footnotes: I was entry in KSEB Service on good physique and in fit and capable of doing active outdoor work. [See medical certificate as per Ref-9 and Page No.9]

Nevertheless I was suffered an accident during the duty time. [See medical certificate as per Ref -10 and Page No. 10]. But the accident is not reported from my controlling officer to higher authority of KSEB. So I was suffered various mental agony and crisis of my official life. So I had a complaint in the matter before the respected Chairman of KSEB, thereafter initiated a vigilance enquiry in the accident matter and finalised the enquiry as per ref-11, page No.11. "An enquiry conducted by the vigilance Wing on the above subject case disclosed that an accident had happened to Sri. Nissam.H, Electricity Worker, K.S.E. Board, Perigottukara. But you have not reported this fact to the Chief Engineer (HRM) when your remarks were called for in connection with the transfer request of Sri. Nissam. This suppression of facts is a misconduct on your part. The Chairman after perusal of the enquiry report has ordered to warn you to be more vigilant in future while discharging the official duties." In the circumstances was initiated mental illness me and took treatment in Government hospital. But the illness was increased disability stages. After I had attended before the State Standing Disability Assessment Board, Kerala, Thiruvananthapuram held on 19.09.2009 as per direction of KSEB. The State Medical Board examined me then issued 45% permanent 'Bipolar Mood Disorder' (mental disability) certificate. [See disability certificate as per Ref -12 and Page No.12]. But KSEB is not allowed my claim aforesaid statute of provisions of Section 47 as per the certificate. So was suffered various crisis of my life and disability harassment. Earlier I had approached the District Medical Board, Thiruvananthapuram for Disability Certificate under provisions of section (4) of Rules as per reference No.3 of Gazette notification. So the District Medical Board examined me consequently issued 40% permanent mental disability certificate dated: 30.05.2008. [Reference No. 13 and page No.13].

Thereafter was constituted an Appellate Medical Board as per government direction of your department (vide ref -7) and consequently issued an Appellate Medical Board Certificate No. G2/9131/2011/MCH/TVM, Dated: 13.02.2013. The Superintendent and Chairman of the Appellate Medical Board of the Government Medical College Hospital, Thiruvananthapuram was sent the Appellate Medical Board Certificate dated: 13.02.2013 to the State Commissioner For Persons with Disabilities of Kerala and the Commissioner was decided I am eligible to all protection, benefits, claim and care of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 under the Appellate Medical Board Certificate also the decision sent to me as per letter No.255/13/S4/SCPWD, Dated:12.03.2013. [The decision letter is enclosing same Page No.14].


The seeking document of Power (A) Department [vide reference No.14, Page No.15 and 16]] sent to your department and the government order No. 86/2010 dated: 30.11.2010 same as reference No. (6) enclosed page No. 17 and 18.

The reference No. 3 enclosed as page No. 19 and 20. The reference No.4 enclosed as page No.21, 22 and 23. The reference No.5 enclosed as page No.24 and 25. The reference No.15 enclosed as page No.26.

This application was made aid of other person help causes as inability of my disability problems.

19.10.2017.

Yours Respectfully
NISSAM.H

Enclosure: Reference: - 1, 2, 7, 8, 9, 10, 11, 12, 13 and letter dated: 12.03.2013 of the 
Commissioner of Persons with Disabilities of Kerala same is Page No.14.
Reference No.14 also G.O (P) No 86/2010, Dated: 30.10.2010. Reference No.3 (Page No. 19 and 20).
Reference No. 4 (Page No. 21, 22 and 23). Reference No.5 (Page No. 24 and 25).
Reference No. 15 (Page No.26).