

**In the Court of Commissioner for Persons with Disabilities  
25, D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2  
Phone-23216001, Telefax: 23216005**

**Email : comdis.delhi@nic.in**

**[Vested with power of Civil Court under the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995]**

Case No. 4(455)/2013-Wel./CD/ 2008-09

Dated: 11.12.14

In the matter of :

**Sh.Inder Singh**

National Federation of the Blind  
Plot No.21 Sector-VI M.B.Road  
Pushp Vihar New Delhi-17

..... **Petitioner**

**Versus**

**Sh.Anindo Majumdar**

**Principal Secretary**

Department of Education  
Old Secretariat  
New Delhi.

..... **Respondent**

**ORDER**

1. A representation was filed on behalf of the National Federation of the Blind seeking exemption from the applicability of the clause 6 of Children Education Allowance Scheme in respect of a blind teacher namely Sh.Inder Singh working under Government of NCT of Delhi on the ground that the blind teacher has two school going children and both are residing in hostel. He had applied for reimbursement of fee under Children Education Allowance Scheme 2008 to the PAO 23 who is responsible for disbursement of such allowances however the reimbursement of hostel was denied in terms of clarification issued vide O.M. No.12011/16/2009-Allowance dated 13.11.2009. The said clause permits the reimbursement of hostel fee in case the distance between the residence of the student/claimant and hostel/residential school is beyond 50 kilometres and since in this case the distance is within 50 kilometres hostel subsidy has been denied. The petitioner

was forced to admit the children in hostel as his wife is in judicial custody for the murder of the mother of the petitioner while his father expired years back.

2. The Directorate of Education was requested to look into this case by granting exemption from the applicability of clause 6 of Children Education Allowance Scheme 2008 and clarification issued vide O.M dated 13.11.2009 in view of the facts and circumstance of the case. Since no reply was received a hearing was fixed. A reply dated 21.4.14 was filed on behalf of the Director Education stating that Sh.Inder Singh TGT had applied for hostel subsidy for his children studying in hostel which is located within 50 kilometres from his residence. As per the relevant rules the residential school should be located beyond a distance 50 kilometres from the residence of the applicant and therefore the applicant is not eligible to get the hostel subsidy.
3. I have perused the representation filed on behalf of the National Federation of the Blind and also seen the replies filed on behalf of the Director Education and the relevant rules on the subject. It is a fact that hostel subsidy is admissible only to those applicant whose children are studying beyond a distance of 50 Kilometres however in this case the hostel in which children are studying is located in Faridabad which is within a distance of 50 kilometres and therefore the case is not covered under the rules. There is however a need to look into this case from the point of view of the suffering of a visually impaired person who is left alone due to the most peculiar circumstances faced by him and therefore deserves to be allowed reimbursement by seeking an exemption from the Competent Authority as a special case.
4. Ordered accordingly.



Given under my hand and the seal of the Court this 11<sup>th</sup> day of December, 2014.

*Ka - 2/24*  
*11/12/14*

(K.S. Mehra)

Commissioner

**Court of Commissioner (Disabilities)**  
**National Capital Territory of Delhi**

Room No. - 1

25-D, Mata Sundari Road, New Delhi-02