

**In the Court of State Commissioner for Persons with Disabilities
National Capital Territory of Delhi
25- D, Mata Sundri Road, Near Guru Nanak Eye Centre, New Delhi.
Phone-011-23216002-04, Telefax: 011-23216005,
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[Vested with powers of Civil Court under the
Rights of Persons with Disabilities Act, 2016]

Case No. 673/1032/2019/01/797-98

Dated: 12.02.2019

In the matter of:

Suo-Motu

Versus

The Director
Directorate of Education, GNCTD
Old Secretariat Building, Civil Lines,
Delhi-110054.

Respondent No. 1

The Principal,
Hazari Lal Public School,
Siraspur Road, Khera Kalan,
Delhi-110082.

Respondent No. 2

Date of hearing: 11.02.2019

Present: Sh. D.K. Tyagi, DDE Zone 10, Sh. Kapil Kumar, Sr. Assistant, Sh. Ganesh Prasad, DDE (IEB), Sh. Vinay Bir Singh, OSD and Dr. Mukesh Chand, OSD (IEB) for Respondent No. 1.

Ms. Kavita Rana, Vice Principal and Ms. Jyoti Rana, Admission Incharge for Respondent no. 2.

ORDER

Based on news items published in Indian Express on 03.01.2019 and Hindustan Times on 15.01.2019 that the parents of a six year old boy with deafness did not admit him in Hazari Lal Public School, Siraspur Road, Khera Kalan, Delhi allotted to him by

Directorate of Education as the school was not equipped to cater his needs, a suo-moto case was registered under Section 80 of the Rights of Persons with Disabilities Act, 2016, hereafter referred to as the 'Act' and taken up with the respondents vide show cause-cum-hearing notice dated 10.01.2019. A hearing was scheduled on 11.02.2019.

2. Ms Kavita, vice Principal, Hazari Lal Public School vide her reply dated 02.02.2019 submitted that Master Lalit Kumar S/o Sh. Ram Kumar, a child with special need was allotted to the school. Neither the child nor his parents visited or reported to the school for admission and hence he was mentioned "not reported" in the Directorate of Education's portal. The child/parent also did not report to any staff member of the school nor was there any entry in the Visiting Register. It has also been stated that the school is well versed with various facilities and has a Special Educator as per the directions of the CBSE and Directorate of Education. The question of denying admission to child did not arise. Deputy Director, Directorate of Education, North-West A, vide reply dated 01.02.2019 has also reiterated the version of respondent no. 2.

3. During the hearing, the representatives of the school added that they tried to locate the child and found that he lives in the Sector 18, Rohini. However, the parents did not seem interested in admitting the child in their school which is in a village catering to the children belonging to lower income group.

4. Sh. Ganesh Prasad, DDE (IEB) and Dr. Mukesh Chand, OSD (IEB) stated that the parents of the child have also filed a petition in the Hon'ble High Court of Delhi, which is pending. Directorate of Education through its District Coordinator met the parents and informed them about the availability of Special Educator in the school and also the transport allowance for a period of 10 months to be paid to the children

with disabilities, if admitted in a school. They were also informed that sign language Interpreter would also be deputed, if required and that arrangement for cochlear implantation is also being made. However, the parents have not admitted the child in the school.

5. Since the matter is pending before Hon'ble High Court of Delhi, the case in this Court is closed.

6. Given under my hand and the seal of the Court this 11th day of February, 2018.

(T.D. Dhariyal)
State Commissioner for Persons with Disabilities