

**In the Court of State Commissioner for Persons with Disabilities  
National Capital Territory of Delhi  
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2  
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. 333/1031/2018/05/12614-12617

Dated:29/11/2018

In the matter of:

Ms. Rajni Jain,  
C-2-C/145, Pocket-2,  
Janakpuri,  
New Delhi-110058.

.....Petitioner

**Versus**

The Director,  
Directorate of Training and Technical Education,  
Muni Maya Ram Marg,  
Pitampura,  
Delhi-110034

.....Respondent No. 1

The Principal,  
Industrial Training Institute,  
Jail Road, Hari Nagar,  
Delhi-110064.

.....Respondent No. 2

The Director/Incharge,  
Vocational Rehabilitation Centre (VRC),  
Plot No. 9-11, Karkardooma,  
Vikas Marg,  
Delhi-110092.

.....Respondent No. 3

Date of Hearing: 27.11.2018

Present: Sh. R.S. Solanki, Principal alongwith Sh. Neeraj Rajpal and  
Sh. Amit Dabas, Group Instructor for Respondent no. 2.

Dr. Jainendra Kumar and Sh. Ashish Kumar Dutta for  
respondent no. 3.

## **ORDER**

The above named complainant vide her complaint submitted by her on 21.06.2018 stated that her son, Sh. Kunal Jain who is a person with 70% Autism Spectrum disorder wants to get admission in ITI, Jail Road, New Delhi. He is a capable child and is interested in technical education. But the administration of ITI informed her that Autism Spectrum disorder is not covered under the disabilities. She requested to help in getting Sh. Kunal Jain admitted to ITI, Jail Road.

2. The complaint was taken up with the respondent under the Rights of Persons with Disabilities Act, 2016 hereinafter referred to as Act vide notice dated 21.06.2018.

3. Respondent no. 2 vide letter no. F.1(13)/Admn./JR/2012/Misc./396 dated 28.06.2018 informed that online centralized admission procedure is followed and a candidate is required to fill a single online admission form for all the ITIs of Delhi as per his/her choice. The candidates with disabilities are required to submit a certificate from Vocational Rehabilitation Centre (VRC), Karkardooma indicating their eligibility for admission to the recommended course/trade. Based on that certificate, the candidate can also contact nearby institute for filling up the choices in admission form. The institute cannot allot the seat on its own as these are allotted centrally. He therefore suggested that necessary directions may be given to VRC, Karkardooma to issue the eligibility certificate to the candidate.

4. Respondent no. 1 vide letter no. F.7(19)/Acad/Trg/1522/OLA/2018/2068/3950 dated 10.07.2018 submitted that seats are reserved for persons with disabilities as per norms. However, the utilization of these reserved seats by persons with disabilities is less. In addition to what was submitted by respondent no. 2, it has been stated that Sh. Kunal

Jain was unable to fill the choice of trade for want of eligibility certificate. As soon as he does it, he would be considered for admission. Respondent no. 1 also enclosed the tentative admission schedule of counselling from 01.06.2018 to 18.08.2018.

5. In light of the submissions of respondent no. 1 and 2, VRC was impleaded and the case was scheduled for hearing on 27.11.2018. VRC vide letter dated 05.11.2018 informed that Sh. Kunal Jain has been evaluated and a suitability certificate has been issued to him on 29.06.2018 for admission in ITI. He also reported at the centre on 16.08.2018 for job registration and informed that he is undergoing training at ITI.

6. During the hearing, Dr. Jainendra Kumar from VRC, now known as National Career Service Centre for Differently Abled submitted that assessment of candidates with disabilities for admission to various technical courses is being done by all the VRCs even before the Persons with Disabilities Act, 1995 was enacted. This is a support service being extended to enable the candidates to make an informed decision to choose a particular course as well as to help technical institutions like ITI, Delhi Polytechnic and Delhi Engineering College etc. A candidate is assessed for admission based on his or her functional performance as demonstrated by him or her during assessment.

7. Sh. R.S. Solanki, Principal, ITI, Jail Road who was accompanied by Sh. Neeraj Rajpal and Sh. Amit Dabas, Group Instructor in the institute submitted that prior assessment of a candidate is essential so that the candidate can make a right choice. Since the courses offered by ITIs are primarily job oriented, it is in the interest of the candidate to opt for a course that will enable him/her to apply for jobs or be gainfully self-employed. In the instant case, a candidate with autism had approached the institute for admission for the first time. He was not

refused admission. However, he was required be assessed by VRC before admitting him against the reserved seat for persons with disabilities. He also stated that admission is not refused to any candidate with disability on ground of not being able to apply online. All reasonable accommodations are provided to persons with disabilities to enable them to get the assessment done.

8. In the light of the submissions of the respondents and in view of the fact that Sh. Kunal Jain has been given admission in Computer Operator & Programming Assistant course in ITI, no direction with regard to admission is necessary.

9. However, it is recommended that the reserved seats for persons with disabilities should be released only towards the end of the last round of counselling after making all possible efforts for admission of candidates with disabilities. This be mentioned in the prospectus so that seats reserved for persons with disabilities are effectively utilized.

10. The complaint is disposed of.

11. Given under my hand and the seal of the Court this 29<sup>th</sup> November, 2018.

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