

URGENT
COURT MATTER

DIRECTORATE OF EDUCATION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
(ACT 1 BRANCH), OLD SECTT., DELHI-54

No.F.DE-15/Act 1/WPC 1225/14/2014/ 27554

Dated: 01/12/14

To

The Chief Commissioner of Disabilities,
Office of the Chief Commissioner for persons with Disabilities,
Min. of Social Justice and Empowerment,
Sarojini House - 6,
Bhagwan Dass Road, New Delhi-110001

Sub: Regarding providing of services of **trained experts** to evaluate availability of requisite facilities for disabled children in Private Schools of Delhi - as per Hon'ble court direction dated 18/11/2014.

Sir,

On the subject noted above, I would like to inform that a Civil Writ Petition - 1225/2014 titled Pramod Arora Vs GNCTD (cont. case (c) - 325/2014) is under adjudication in the Hon'ble High Court of Delhi which is related to the matter of disabled children. In this regard, in pursuance of directions of Hon'be High Court, this department is already in process of identifying such schools which could cater to needs of disabled children as per their claims and requisite information in this context is being gathered. District wise & Disabilities wise relevant details collected till now are available on department's website www.edudel.nic.in - main page scroll list- which may be perused.

Hon'ble Court vide order dated 18/11/2014 (received on 24/11/2014) further directed to verify with each of the schools, the information furnished by it with regard to the exact facilities available in its premises- in terms of infrastructure & personnel (The existence of teaching/educational aid, class room, availability of special educators/trained teachers who are in a position to impart education to the kind of disability which the school claims to cater etc.)

It has further been directed that for giving effect to the direction above, this department shall immediately cooperate with the Chairperson, Rehabilitation

Ashim Jain
11/2/2014


Council of India and the Chief Commissioner, Disabilities - to secure the services of trained experts who could evaluate such facilities available in Pvt. Schools and objectively certify them. It has also been ordered that Chief Commissioner of Disabilities & the Chairperson, Rehabilitation Council of India to cooperate and ensure that a list of experts in the field-having experience, is drawn up forthwith depending upon their availability in Delhi on specified dates and work out a roster for inspection of individual school/institution. *(Copy of order dated 18/11/2014 attached).*

The Pvt. Unaided Recognized schools under jurisdiction of this department which are to be physically inspected fall under 12 different districts in Delhi and supervised each by Dy. Director of Education concerned. *(The list of D.D.Es with addresses & other details are attached herewith this letter.)*

It is therefore, requested that the details of requisite number of experts as directed by the Hon'ble High Court, may please be provided to this office upto 4th December 2014 so that an inspection schedule may be prepared and the experts be deputed to the offices of all twelve Dy. Director of Education, so that necessary verification of facilities in Pvt. Schools could be completed within stipulated time i.e. on or before 10th of December 2014 so that requisite details/affidavit could be prepared and filed timely in the Hon'ble High Court.

It is further requested that the matter may please be looked into personally at your end keeping in view the urgency and sensitivity of issue. An early response shall be highly appreciated.

This issues with the prior approval of Principal Secretary (Education).


(DR. ASHIMA JAIN, IAS)
ADDL. DIRECTOR OF EDUCATION(ACT-1)

S-7.

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CONT.CAS(C) 325/2014

PRAMOD ARORA

..... Petitioner

Through: Mr. Kirti Uppal, Sr. Adv. with
Ms. Kiran Kalra Uppal,
Mr. Anshumaan Sahni, Mr. Aman
Bhalla, Advocates.
Mr. Ravi Gupta, Sr. Adv. (Amicus
Curiae)

versus

GNCTD THR ANINDO MAJUMDAR, PRINCIPAL SECRETARY
(EDUCATION) DIRECTORATE OF EDUCATION & ORS

..... Respondent

Through: Ms. Zubeda Begum, Standing counsel
for GNCTD.
Mr. S.N. Gupta, Adv. for Lancer
Convent School.
Mr. Akshay Makhija, CGSC with Mr.
Rohitendra Deb, Adv. for R3.
Mr. Amit Mahajan, CGSC with Mr.
Nitya Sharma, Adv. for UOI
Mr. Mohak Bhadana, Adv for DAV
Mr. Sanjay Sharma, Adv for Ahlcon
International School

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

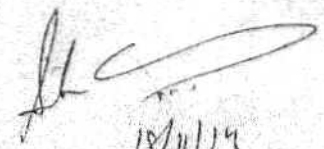
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

18.11.2014

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The GNCTD has filed an affidavit enclosing a copy of the order dated 13.10.2014 issued to the private schools calling for information. This Court notices with regret that the order/circular is more of general nature, merely


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eliciting information, and in no way attempting to further follow up with inspection. It is not command or dictate to the schools to comply with the provisions of the Persons with Disabilities Act and the Delhi School Education Act. In other words, it is not a directive under Rule 43 of the Delhi School Education Rules read with Section 12(3) of Right of Children to Free and Compulsory Education, 2009, even though this Court had directed the respondents to issue the order by resort to those provisions.

Consequently, the GNCTD is directed to forthwith take the following steps/action:

1. Issue appropriate directions under Rule 43 of Delhi School Education Rules and/ or Section 12(3) of The Right of Children to Free and Compulsory Education Act, 2009, and elicit all the requisite information with regard to:

(a) The number of seats in respect of the kind of disability which each particular unaided school is geared, or equipped to cater to;

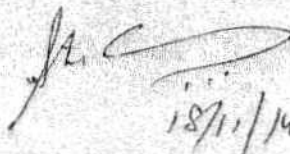
(b) The facilities specifically existing for that purpose;

(c) The fees to be charged from the pupils by such schools;

(d) The fees for disabled students vis-a-vis fees charged from other students.

(e) The number and type of special educators/ teachers in each unaided school, which has facilities for disabled students.

2. Verify with each of the schools the information furnished by them with regard to the exact facilities available in its premises – in terms

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of infrastructure and personnel (the existence of teaching/educational aids, class rooms, availability of special educator/trained teachers who are in a position to impart education to the kind of disability which the school claims to cater etc.)

3. For giving effect to the direction (2) above, the Govt. of Delhi, Department of Education shall immediately cooperate with the Rehabilitation Council of India and the Disabilities Commissioner – to secure the services of trained experts who could evaluate such facilities available in private schools and objectively certify them. The Chief Commissioner of Disabilities and the Chairperson, Rehabilitation Council of India is hereby directed to cooperate and ensure that a list of experts in the field – having experience, is drawn up forthwith depending on their availability in Delhi on specified dates, and work out a roster for inspection of individual school/institution.
4. The directive to be issued pursuant to direction no.(1) shall also indicate that the inspection under the aegis of GNCTD would be carried out through its experts deployed in the manner indicated above – and that each school would not, in any way, hamper or impede the inspection process. In case the schools do not respond to the directive, or any impediment or resistance is found on the part of any private institution, the Department of Education shall take necessary action as is appropriate under the provisions of the Delhi School Education Act.



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The reports obtained on the basis of inspection shall be compiled, tabulated and filed in the Court before the next date of hearing. The entire process shall be completed on an urgent basis and the affidavit be filed within four weeks from today.

The inspection committees may indicate to the concerned schools the deficiencies and shortcomings observed during the course of inspection independently to the school.

The Principal Secretary shall monitor the progress to ensure implementation of this courts order.

Order dasti under the signatures of the Court Master.

A copy of the order shall be marked directly to the Chairperson, Rehabilitation Council of India and the Chief Commissioner, Disabilities. Learned amicus curiae is requested to convey the courts order to the said bodies as well.

List on 19.12.2014.

SA/-
S. RAVINDRA BHAT, J

SA/-
VIPIN SANGHI, J

NOVEMBER 18, 2014

sr

Checked True Copy
18/11/14
Administrative Officer (Judicial)
High Court of Delhi
New Delhi

DIRECTORY OF DISTRICT OFFICES OF DOE

District	DDE	LL Phone	Mobile	Address	Email add
East	MRS. Saroj Sain	22156822 22156826	9818753398	East Govt. Co-ed SSS D-Block Anand Vihar	ddeast@gmail.com
North East	Mr. U.S.Kurmi	22913251 22913223	8130568000	RPVV, B-Block, YamunaVihar	scgupta255@gmail.com
North	Mr. R.N.Sharma	23817340 23813779	9312749601	SV, Lucknow Road, Timar Pur	dponorthueem@gmail.com
North West A	Mrs. Neena Kumari	27497986 27497989	9910890669	BL-Block, Shalimar Bagh	neenakraji@gmail.com
North West B	Mrs. Rashmi Gehlot	27348917 27348927	9811540988	FU-Block Pitam Pura	ddnwb2010@gmail.com
West A	Mr. Marshal Ekka	25101797 25932423	9810360373	Govt. Co-ed SS, IA, Karampura /New Moti Nagar, New Delhi-15	mekka@rediffmail.com
West B	Mrs. Kamlesh Chauhan	28544372 28541734	9871229094	GBSSS, G-Block, Vikaspuri,	ddewest.b@gmail.com
South West A	Mrs. Afshan Yashmin	26145857 26144458	9899798646	C-4, Vasant Vihar Behind Tagore International School	ddswa2013@gmail.com afshanyasmin2008@gmail.com
South West B	Veena Tandon	25324422 25320363	9891434009	GBSSS No. 1 Najafgarh	ddeswz@gmail.com
South	Renu Sharma	24336572 24332668	9911337336	SKV, C-Block, Defence Colony	renu.sharma187@yahoo.com , de.districtsouth@gmail.com
New Delhi Central	Mrs. Vinita Shanker	23615308 23514063	9899259577	Plot No. 5, Old Mahila Colege Building, Jhandewalan, Karol Bagh	vsddecentral@gmail.com
South East	Mr. Kaushik	24336572 24332668	9910150289	South-East SKV, C-Block, Defence Colony	nck.dhi@gmail.com

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