

64/C

**DIRECTORATE OF EDUCATION
(PRIVATE SCHOOL BRANCH)
OLD SECTT: DELHI-110054**

No.F.16/DDE(IEB)ADMN.Cell/2019/10839-43

Dated:- 28/08/19

ORDER

Subject:-Implementing Inclusive Education in Private Unaided Recognized School of Delhi in the line of the Provisions under the Right of Persons with Disabilities (RPwD) Act, 2016.

The Rights of Persons with Disabilities (RPwD) Act, 2016 was passed by the Parliament of India in the year 2016 and came into force w.e.f. 19.04.2017. The Delhi Rights of Persons with Disabilities Rules 2018 also came in force w.e.f. 27.12.2018 vide which Section 2(m) of the Rights of Persons with Disabilities Act, 2016 states that "Inclusive Education" means a system of education wherein students with and without disability learn together and the system of teaching and learning is suitably adapted to meet the learning needs of different types of students with disabilities.

And Section 16 of the RPwD Act, 2016 provides that the appropriate Government and the local authorities shall endeavor that all educational institutions funded or recognized by them provide inclusive education to the children with disabilities, hence to achieve this, all educational institutions are required to comply & act as per provisions of section 16 of said Act in letter and spirit.

And Section 89 of the RPwD Act, 2016 states that any person who contravenes any of the provisions of this Act, or of any Rule made there under shall for first contravention be punishable with fine which may extend to ten thousand rupees and for any subsequent contravention with fine which shall not be less than fifty thousand rupees but which may extend to five lakh rupees.

In the larger public interest, Directorate of Education is reiterating the directions issued vide Order No. DE.Act.15/WPC/4618/2012/6961-70 dated 19.02.2013 passed by the Honourable High Court of Delhi in WPC No.4618/2011 titled as Social Jurist, a Civil Rights Groups Vs. Govt. of NCT of Delhi whereby the Hon'ble Court directed as under:-

"We accordingly allow this petition and direct all the recognized aided and unaided private schools in Delhi to appoint Special Educators and to make their buildings/school premises barrier free so as to provide free movement/access to children with disabilities. We further direct the DoE, Govt. of NCT of Delhi to ensure compliance of the directions issued by this Court and to take action for de-recognition against the erring school. We however, grant time up to 31st march, 2013 to the said schools to, if not have already done, make their school

h

63/C

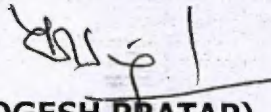
premises barrier free/access free. We have granted the said time having regard to the fact that Section 19 of the RTE Act has given time of three years from 1st April, 2010. We further grant time of two years to appoint Special Educators. However, schools where children with special needs are already admitted or will be admitted hereafter shall immediately make provision for Special Educators and further ordain that no school shall refuse admission to children with disability for the reason of not employing Special Educators or not providing barrier free access in the school premises".

Despite issuing the above said order, irregularities in admissions of Children which is a matter of serious concern with Disabilities Category have come to notice. The matter has also been taken note of by the State Commissioner for Persons with Disabilities, National Capital Territory of Delhi.

Therefore, all the Principals/Managers of Private Unaided Recognized Schools of Delhi are hereby directed to launch a Special Drive to examine and verify the admission records of academic sessions 2017-18 to 2018-19 and ensure that all admissions under the CWSN Category have been done strictly as per guidelines issued by the Government from time to time in this regard and the students those admitted are provided with effective Inclusive Education in the line of the provisions made in the RTE Act 2009 and above said provisions of the RPWD Act, 2016.

Any lapse in this regard is ground to attract penalty as per the RPWD Act & the DSEAR, 1973.

This is issue with the prior approval of competent authority.


(YOGESH PRATAP)

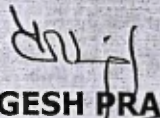
Deputy Director of Education (PSB)

No.F.16/DDE(IEB)ADMN.Cell/2019/

Dated:-

Copy to:-

1. P.S. to secretary (Education), DoE, GNCTD of Delhi.
2. P.A. to Director (Education), DoE, GNCTD of Delhi.
3. All RDE/Districts/Zones, Director (Education), DoE, GNCTD of Delhi.
5. In-charge (Zones), Director (Education), DoE, GNCTD of Delhi.
6. Guard File.


(YOGESH PRATAP)

Deputy Director of Education (PSB)