

**COURT CASE/TIME BOUND**  
ATTENTION ALL DY. DIRECTORS  
OF EDUCATION (DISTRICTS)

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

No.F.DE-15/Act 1/WPC 1225/14/2014/27557

Dated: 01/12/14

**ORDER**

Hon'ble High Court of Delhi vide order dated 18/11/2014(copy enclosed), in WPC- 1225/2014 & CCP-325/2014 in the matter of Pramod Arora Vs GNCTD has again directed to elicit all the requisite information from Private schools regarding various facilities and some other issues related to disabled children. Further, it has been directed to physically verify the information given by Pvt. Unaided Schools of Delhi regarding the requisite facilities to cater to the needs of disabled children and for this purpose, also directed the Chairperson, Rehabilitation Council of India & the Chief Commissioner, Disabilities to provide the services of trained experts who could evaluate such facilities available in private schools and objectively certify them.

Accordingly, the department has requested the Chairperson, Rehabilitation Council of India, Chief Commissioner of Disability and Commissioner of Disability for providing requisite number of experts so that inspection schedule can be worked out in coordination with officials of Directorate of Education(Copy of letters enclosed).

Therefore, all Dy. Directors of Education are directed first to coordinate with the schools concerned and get the requisite information completed/updated/rechecked in the format already provided vide office order dated 13/10/2014. This exercise must be completed by 03/12/2014. The information made available by the schools till now is available on department's website on the main page- scroll list. An order to private schools has already been issued in this regard.(Copy enclosed)

Thereafter, all Dy. Directors of Education are directed to physically verify the availability of facilities for disabled children in Private Unaided Schools as claimed by them with the help of experts provided by above said institutions. This exercise be completed by **10/12/2014** and district-wise updated information alongwith compiled inspection reports be submitted in Act-I branch on or before **12/12/2014**.

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

  
(DR. ASHIMA JAIN, IAS)

**ADDL. DIRECTOR OF EDUCATION(ACT-1)**

**All District DDEs for compliance.**

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;

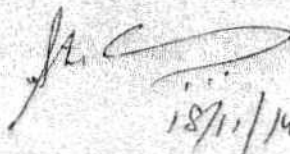
(b) The facilities specifically existing for that purpose;

(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

A handwritten signature in black ink, followed by the date '18/11/14' written in the same ink.

Administrative Officer (Judicial)  
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New Delhi

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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New Delhi

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*  
*[Signature]*  
18/11/14  
Administrative Officer (Judicial)  
High Court of Delhi  
New Delhi

**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 1225/14/2014/27555

Dated: 01/12/14

To

**The Commissioner of Disabilities,**  
Office of the commissioner for persons with Disabilities,  
25 -D, Mata Sundri Road,  
Near Guru Nanak Eye Centre,  
New Delhi-110002

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](http://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.)

*Ashima Jain*  
11/12/2014

It has further been directed that for giving effect to the direction above, this department shall immediately cooperate with the Chairperson, Rehabilitation 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 4<sup>th</sup> 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 10<sup>th</sup> 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)

**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](http://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 4<sup>th</sup> 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 10<sup>th</sup> 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)

**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 1225/14/2014/27553

Dated: 01/12/14

To

**The Chairperson,**  
Rehabilitation Council of India,  
B-22, Qutab Institutional Area,  
New Delhi-110016.

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's 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](http://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*  
11/12/2014

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 4<sup>th</sup> 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 10<sup>th</sup> 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)**

**ATTENTION/COURT CASE**  
**All Pvt. Unaided Schools** which have  
claimed that they have requisite  
facilities to cater to the needs  
of disabled children.

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

No.F.DE-15/Act 1/WPC 1225/14/2014/27556

Dated: 01/12/14

**ORDER**

Hon'ble High Court of Delhi vide order dated 18/11/2014 in WPC-1225/2014 & CCP no. 325/2014, titled Pramod Arora Vs GNCTD has directed to provide the following information in respect of the Unaided Pvt. Recognized Schools which have claimed to have facilities to cater to the needs of Disabled Children.

- (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; (Exact facilities in terms of infrastructure and personal required for the purpose/disability & its availability in school)
- (c) The fees to be charged from the pupils by such schools;
- (d) The fees for disabled students vis-à-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.

In addition to the above, as per above said directions of the Hon'ble High Court, team of officers/experts from DoE, Rehabilitation Council of India and the Chief Commissioner Office will visit each school to physically verify the details/availability of said facilities.

In this regard, attention is invited to Rule 50(xviii) of Delhi School Education Act & Rules, 1973 which provides that every Recognized Pvt. Unaided School is bound to provide any information/reports as required by the Director of Education from time to time for continuation of the recognition of the school.

*Shivrajain*  
1/12/2014

Further the recognition of the Pvt. Schools is subject to fulfilment of directions/provisions of this directorate as provided under Section 4(6) of Delhi School Education Act & Rules 1973 and failure in this regard may invite de-recognition of the schools.

Therefore, in pursuance to the directions of Hon'ble High Court all Unaided Pvt. Recognized Schools, which have claimed to have facilities to cater to the needs of Disabled Children, are hereby again directed under Rule 43 of Delhi School Education Rules read with Rule 50(xviii) Delhi School Education Act & Rules and Section 12 (3) of RTE Act 2009 to provide accurate information w.r.t points 'a' to 'e' mentioned above and to update/recheck this information if already provided. This information must be provided/updated/rechecked positively by 03/12/2014 in the formats already provided vide this office order dated 13/10/2014.

Further, these schools are strictly directed to ensure that they shall not, in any way, hamper or impede the said inspection process in this regard and they shall extend all necessary cooperation to the inspecting team.

In case, if any school does not respond to any directive contained in this order or any impediment or resistance is found on the part of any Private School in this regard, department shall take necessary action as is appropriate under the provisions of the Delhi School Education Act and other relevant provisions.

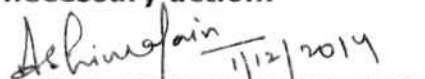
This issues with the prior approval of Principal Secretary (Education).

  
(DR. ASHIMA JAIN, IAS)

ADDL. DIRECTOR OF EDUCATION(ACT-1)

To

1. **All Pvt. Unaided Schools(through DDEs & website of the department)** which have claimed that they have requisite facilities to cater to the needs of disabled children.(List of such school-Distt.wise is available on DoE's site - [www.edudel.nic.in](http://www.edudel.nic.in)(Scroll list on main page)
2. **All District DDEs for information and necessary action.**

  
(DR. ASHIMA JAIN, IAS)

ADDL. DIRECTOR OF EDUCATION(ACT-1)