



सत्यमेव जयते

न्यायालय मुख्य आयुक्त विकलांगजन
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES
विकलांगजन सशक्तिकरण विभाग / Department of Empowerment of Persons with Disabilities
सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No.6252/1033/2016

Dated: 05.07.2016

In the matter of:

Smt. Paramjeet Kaur Sur, 0117
Mother of Ms. Garima Singh Sur,
Flat No.2, Block E2, Pocket-3,
Sector-15, Rohini, New Delhi-110052
E-mail – ssingh.pk@gmail.com

..... Complainant

Versus

0118
Kulachi Hansraj Monovikas Kendra,
(Through Headmistress),
G-Block, Ashok Vihar,
New Delhi-110052.

..... Respondent

Date of Hearing : 06-06.2016, 23.06.2016

Present :-

06.06.2016

1. Smt. Paramjeet Kaur Sur, Complainant
2. Ms. Jharna Bhattacharya, Headmistress on behalf of Respondent.

23.06.2016

1. Smt. Paramjeet Kaur Sur, Complainant
2. Ms. Jharna Bhattacharya, Headmistress on behalf of Respondent

ORDER

The above named complainant, mother of Ms. Garima Singh, a person with autism (75%) filed emails complaints dated 17.04.2016 and 11.05.2016 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred to as the Act regarding refusal to continue in school to a student with autism by the respondent.

2. The complainant submitted that that her daughter Garima Singh Sur is 25 years old and she is suffering from autism, with a low IQ of 40%. Last year she was studying in Kulachi Hansraj Manovikas Kendra School, but last week, school informed her that her daughter cannot further continue to study in the school, as she is now 25 years old. In this regard, I want to bring this into your notice that though she is 25 years old but still her mental age is of a small child. So I have written this e-mail to seek your help in this issue and advise me and the school (The Kulachi Hansraj

.....2/-



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Manovikas Kendra, Ashok Vihar, New Delhi) to let her continue studying in the school. She further submitted that the respondent has not given any reply to her e-mail dated 18.04.2016 addressed to the School Management and requested to call the School Management as well as the complainant.

3. Upon considering the complaints of the complainant, a hearing was scheduled on 06.06.2016 which was rescheduled on dated 17.06.2016 and finally fixed for 23.06.2016.

4. During the hearing on 23.06.2016, the complainant reiterated her written submissions and submitted that if our child will go to school then she will learn something which is not possible in the home. In the school the child remains engaged and safe. In the School, the vocational training is being given. She may be continued in this school. The age may not be made an issue. She further submitted that she visited Tammana School, Vasant Vihar, New Delhi. This school is very far away from her residence i.e. Sector 125, Rohini, New Delhi. The school Transport comes upto Netaji Subhash Palace, New Delhi. So If she admits her daughter in Tammana School then she has to start from her home at about 6.15 A.M. as bus timing at this stop is about 7 A.M. Same way in the afternoon she will have to travel for more than half an hour to pick her daughter daily. This would be practically difficult to manage on daily basis. Therefore, she again requested that Kulachi Manovikas Kendra may be directed to continue her daughter schooling as their bus comes to Sector 15, Rohini and other children are also going from nearby areas to attend this school alongwith her daughter.

5. The representative of the respondent submitted that at present their school is providing services to the children of age group 3 plus to 18 years. Two years back, the School Management started the process of preparing students for transition in 2014. Group and individual counseling sessions were held with parents of children of age group 20 years and above at various times. Advice was also sought from experts. AADI Team guided us the community rehabilitation of the specially abled children. In the above process mapping of community resources should be done according to the interest of persons with disabilities and proximity. She further submitted that Ms. Garima Singh, a 25 years old girl with autism and mental retardation requires close parental supervision in her rehabilitation and her mother's beauty parlor will facilitate the same. It is also the right of every person with disability to get expedient and quick opportunity in the community. So keeping these adults in the institutional set up will be segregation. The time duration of keeping Garima in the school cannot be decided from her side. It is the School Management who will take a decision in this regard.

.....3/-



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6. After hearing both the parties, the Court directs the respondent to continue Garima Singh in school till the school frames a policy regarding the fixing the age upto which the student can be admitted in the school. The respondent-school is also directed to introduce vocational courses suited for the persons with disabilities attaining the age of more than 18 years. The complainant is also directed to consider for the other options for teaching vocational training to the child for her livelihood.

7. The case is disposed off accordingly.

(Dr. Kamlesh Kumar Pandey)
Chief Commissioner
for Persons with Disabilities

N.O.O.:

✓ Copy to :- Record File.