



न्यायालय मुख्य आयुक्त

COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दिव्यांगजन सशक्तिकरण विभाग / Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment

भारत सरकार/ Government of India

Case No. CCPD/15321/1033/24

Dated: 10/11/2025

Case No. CCPD/15321/1033/2024

In the matter of:

Shri Saurav Pan

...Complainant

Versus

The Registrar,

Visva-Bharati University

...Respondent

1. Gist of the Complaint:

1.1 Mr. Sourav Pan, a person with 100 % Visual Impairment (Blindness), filed a Complaint dated 17.04.2024 regarding harassment by Dr. Sarita Anand (M.Ed. class coordinator) and Dr. Partha Sarathi Sikdar (HoD), denying semester exam appearance, citing short attendance despite sufficient attendance after remedial classes.

1.2 He stated that classes started on 03.01.2024; Dr Anand claimed an improbable 15 classes in 19 days, post initial 5, took extra classes in February (13-14 total), notified via WhatsApp (inaccessible to blind Complainant), left on leave in March, denying makeup. Remedial classes (448 hours curriculum, but only 7 in March till 15.03.2024) arranged per HoD notice 13-14.03.2024, attended all. DC meeting 18.03.2024 calculated >60% attendance (required minimum), issued admit card, but withdrawn after Dr. Anand's intervention, attendance revised to 58.7%. An inquiry committee was formed on 02.04.2024, but no resolution; harassment via instigation, derogatory comments, and isolating the Complainant. Violates Sections 3 & 21 of RPwD Act 2016, the university's 60% attendance rule is inconsistently applied.

1.3 The Complainant prayed to arrange a supplementary examination if the department's

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fault is proven.

2. Notice Issued to the Respondent:

2.1 In exercise of the powers conferred u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016 [hereinafter referred to as "the Act"], a notice dated 14.05.2024 was issued for violation under sections 3, 21, & 23 of the Act and a final reminder was issued on 03.07.2024 u/s 75, 77 & 93 to the above mentioned respondents for forwarding to this Court comments on affidavit on the complaint within the statutory time limit.

3. Reply filed by the Respondent:

3.1 The Respondent filed a reply dated 06.12.2024, denying allegations of discrimination. It was stated that the Complainant was not permitted to appear for the examination due to inadequate attendance, in accordance with applicable rules.

4. Rejoinder filed by the Complainant

4.1 The Complainant filed a rejoinder dated 13.12.2024, contesting the Respondent's claims. He argued that the total number of classes conducted (233) was significantly lower than the required 448. He also stated that additional non-routine classes were held without prior notice and were inaccessible to students with visual impairments. Despite the Head of Department (HoD) making arrangements, remedial classes were not provided. The Complainant further alleged that a decision by the Departmental Committee (DC) was overturned, the inquiry report was withheld, and evidence of harassment was available through WhatsApp messages. He also cited previous similar cases and referred to past irregularities involving Dr. Anand.

4.2 The Complainant requested the CCPD to obtain the withheld documents, investigate alleged manipulation, and take steps to ensure an accessible and inclusive campus environment.

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5. Hearing:

5.1 A hearing was conducted on **09.09.2025** in hybrid mode (Offline/Online through Video Conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name & Designation of the Parties/Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Mr. Saurav Pan	Complainant	Online
2.	Prof. Larisha M. Lyndem - Liaison Officer of SC, ST & PwD, Visva-Bharti University	Respondent	Online

6. Record of Proceedings:

6.1 The Respondent asserted no discrimination against SC/ST/OBC/PwD students, stating the Complainant (visually impaired) failed the 75% attendance requirement (with general 15% relaxation to 60% for genuine reasons via documents and fee), as an inquiry showed the Complainant's attendance at 58.7%; he was thus barred from exams. This rule applies uniformly, with past denials cited for visually impaired and general category students. The Complainant countered that examples highlight recurring issues for visually impaired students, alleging systemic discrimination via unnotified extra classes communicated only through inaccessible WhatsApp.

6.2 This Court queried if the 15% relaxation was category-specific; the Respondent clarified that it is uniform for all students, and remedial classes for academic support are not counted toward attendance.

6.3 This Court acknowledged that the attendance rules are binding, but emphasised the need for reasonable accommodation for PwDs as per the RPwD Act, 2016, suggesting further consideration beyond 60% due to unique challenges.

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6.4 The Respondent noted the Complainant is now a repeater due to disqualification. This Court found no immediate relief possible post-exam cycle, but directed framing a clear PwD accommodation policy for attendance. The Respondent undertook to present it to the Academic Council, with this Court mandating concrete steps by the next academic session.

6.5 The Complainant added that the University failed the curriculum/timetable with irregular classes and an inaccessible WhatsApp, causing him a two-year loss.

7. Observations/Recommendations:

7.1 This Court observes that attendance requirements are a matter of university rule; however, under the Rights of Persons with Disabilities Act, 2016, persons with disabilities are entitled to reasonable accommodation in order to ensure equal participation in education.

7.2 This Court emphasises that the provisions of the RPwD Act, 2016, being a parliamentary enactment, override the University's Ordinances or Prospectus. Accordingly, reasonable accommodation may include separate relaxation standards for PwD students, considering their unique challenges, while clarifying that disability cannot be an excuse for habitual absenteeism.

7.3 In light of the above recommendations, the matter is disposed of.

Yours faithfully,

**(S. Govindaraj)
Commissioner**

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