



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/15937/1033/24

Dated: 28/11/2025

Case No: 15937/1033/2024

In the matter of—

Mr. Saksham Shrivastava

...Complainant

Versus

The Registrar, Christ University Bengaluru.

...Respondent

#### 1. GIST OF COMPLAINT:

1.1 Mr Saksham Shrivastava, a student with a 70% locomotor disability, filed a complaint on 26-11-2024 through his representative, his father, Mr Manish Shrivastava. The complaint concerns the denial of admission to the 6th Semester and requests the cancellation of his detention for the 5th-end semester of BA (HEP) 2024-2025. The relevant exam was scheduled for November 6, 2024.

1.2 The Complainant has been studying at Christ University since August 2022. Despite his active participation in academics and extracurricular activities, his attendance was recorded

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at 65%, which is below the required 75% as per UGC guidelines. Due to his disability, with only one active hand, he faces significant challenges in attending classes regularly.

1.3 According to UGC guidelines and the Rights of Persons with Disabilities Act 2016, universities are required to provide special provisions for students with disabilities. Although the Complainant was allegedly notified in October 2024 about his insufficient attendance, he was not given sufficient time or support to help him improve. He has consistently attended library sessions and participated in university activities.

1.4 Given that UGC guidelines recommend flexibility for students with disabilities and that the Complainant was previously allowed to appear for exams despite lower attendance, the decision to detain him this semester appears unjust. Therefore, his father requests that the university reconsider the attendance requirement, cancel his detention, and either release his hall ticket for the upcoming exam or arrange a special exam. Furthermore, he requests that the university provide future accommodations for students with disabilities, in accordance with UGC recommendations, to prevent similar issues.

## **2. Notice Issued:**

2.1 The matter was taken up with the Registrar, Christ University, Bangalore, via notice dated 21-12-2024, requesting that relevant provisions of the Act, other statutory provisions, and government instructions be considered. A final reminder to file comments was issued on 23-01-2025, stating that non-furnishing of information sought under the RPwD Act, 2016, is a punishable offence under Section 93 of the Act.

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### **3. Submission made by the Respondents:**

3.1 Dr Anil Joseph Pinto, Registrar of Christ University, responded on 20th January 2025, stating that the Complainant's grievance was carefully reviewed in the context of the University's attendance policies and the challenges cited. According to the 2023-2024 Students Handbook (Leave Regulation, pg. 125-126), a minimum of 85% attendance is required to be eligible for the end-semester examination (ESE), with a possible exception allowing attendance above 75% to be condoned if supported by valid documentation and approval from the Vice Chancellor.

3.2 However, the Complainant's attendance for the 5th Semester was only 64%, which is well below both the required and condonable thresholds. The University has provided reasonable accommodations for the Complainant's recognised disability, including additional exam time and a separate examination room. Despite these provisions and ongoing counselling, the Complainant has consistently failed to meet the attendance requirements across semesters. The University made multiple efforts to communicate with both him and his parents regarding his attendance and academic progress, but his lack of engagement with the support system has resulted in ongoing attendance issues.

3.3 As per University policy, all students, including those with disabilities, must adhere to attendance requirements and fulfil academic responsibilities. Students who fail to meet these criteria must repeat the semester to address attendance and coursework gaps. The University has fully complied with the Rights of Persons with Disabilities Act, 2016, providing inclusive education and reasonable accommodations, as outlined in Sections 16 and 17(d) of the Act.

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3.4 Despite the Complainant's ongoing non-compliance with attendance norms, the University has continued to support him. Furthermore, the University follows the University Grants Commission's Guidelines for Accessibility and Inclusion of Persons with Disabilities (2019), ensuring that academic rigour is maintained alongside necessary support. This approach is also consistent with legal precedents, including the **Supreme Court's ruling in *Vikas Gupta v. Union of India (2013)***, which affirmed that reasonable accommodations should not compromise academic standards. In a meeting on 4th November 2024, the student, with his local guardian, discussed his academic performance with the University authorities. It was agreed that the student would focus on completing his back papers and addressing learning gaps, without the added burden of attending regular classes, and both parties consented to repeating the 5th semester starting in June 2025.

#### 4. Submission of Rejoinder:

4.1 The Complainant, in his rejoinder dated January 21, 2025, reiterated his concerns. He asserts that all the notices attached to the Respondent's response are false and fabricated by the university, and that there is no proof of receipt. On November 4th, a document titled "Minutes of Meeting" was presented; however, he contends it does not constitute an agreement. The Complainant alleges that the university is attempting to justify its decision and is refusing to provide assistance to a person with a disability, allegedly due to the ego of a faculty member. He respectfully requests that an inquiry be conducted into all documents submitted by the university. Furthermore, he urges that his detention be reviewed and that his case be treated as a special case.

#### 5. Hearing:

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**5.1** At the hearing held on 26.05.2025, the matter was adjourned and rescheduled for further hearing on 05.06.2025, wherein the Respondent sought additional time to file their submission. Accordingly, the matter was further adjourned and next effective hearing took place in hybrid mode (online/offline) on **26.06.2025**. The following parties/representatives were present during the hearing:

Sl.No.	Name of the parties/Representatives	On Behalf of	Mode of Attendance
1.	Mr. Saksham Shrivastava	Complainant	Online
2.	Mr. Manish Shrivastava	For Complainant	Online
3.	Dr. Anil Joseph Pintu, Registrar Christ University	Respondent	Online
4.	Mr. Vijay Shankar, Controller of Examination, Christ University	Respondent	Online
5.	Adv Prateek Chandramouli	Respondent	Online
6.	Saksham's Counsellor (Name not known)	Respondent	Online

## 6. Record of Proceedings

6.1 At the outset, the Court asked the Complainant to brief his case. The Complainant states that he has been studying at Christ University since August 2022. Despite his active participation in academics and extracurricular activities, his attendance was recorded as

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65%, below the required 75% as per UGC guidelines. Due to his disability, having only one active hand, he faces significant challenges in attending classes regularly.

6.2 In response, the College Counsellor stated that she was assigned as the Complainant's counsellor. Throughout this period, the Complainant often expressed discomfort when approached for support services. Despite efforts, he declined assistance and even provided a written statement confirming that he did not require any support. This letter has already been submitted to the Court. The difficulties currently raised were never disclosed during the course of study and were brought up only after the proceedings had begun. Despite being in college for over 2 years, neither he nor his parents had previously contacted any college authorities to inform them or request accommodations for these specific issues. It is important to note that his class includes students with 100% disabilities, who maintain over 90% attendance and are performing exceptionally academically. It is also submitted that the college has provided them with all the necessary institutional support. Similarly, the Complainant was granted examination-related accommodations (extra time) through the Examination Office at his request.

6.3 The Counsellor also told that regarding the letter the Complainant referred to for requesting attendance consideration, he was instructed to submit it before the last working day of the semester. However, the Complainant submitted the letter after the deadline; therefore, the college was unable to process it. The College representative further apprised that, regarding the Complainant's academic progress, he was detained due to multiple backlogs and a lack of participation in internal assessments. Given these factors and in the interest of his academic recovery, the university decided to detain the complainant so he could clear his backlogs and resume the fifth semester. As of now, he has two backlogs remaining. One exam was attempted last week, and the other is scheduled for October. The college highlights that a lack of communication from the student and his family, and the absence of timely submission of essential documents, prevented them from successfully

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promoting him to the next semester.

## **7. Observations and Recommendations**

7.1 After hearing both parties, it is observed that the Complainant has maintained the required attendance percentage in all semesters except for the fifth semester at the relaxed standard. The Complainant claims that his inability to meet the attendance requirement was due to his disability. However, the Court observed that several persons with disabilities have demonstrated punctuality and academic excellence through their own efforts; therefore, disability alone cannot be accepted as a justification for consistent absence or lack of attendance.

7.2 The Court further observes that time management and commitment are individual efforts that cannot be exempt from the rules and regulations prescribed by the university. It is also brought to the university's attention that the university has already relaxed the attendance requirement from 85% to 75% for students with disabilities. The Complainant was reportedly allowed such relaxation in four earlier semesters, including the last two. The counsellor representing the Complainant confirms that he was informed about the shortage of attendance. However, the student contends that he was not given sufficient opportunity to meet with the authorities or to explain his situation. This reflects a possible communication gap between the student and the University administration. While the Court is empathetic to the challenges faced by students with disabilities, it firmly believes that academic standards must be safeguarded and not compromised.

7.3 Accordingly, the Court holds that the shortage of attendance in the fifth semester

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cannot be condoned or revised merely on the grounds of disability. However, if the University rules permit, or if reasonable accommodation can be extended as per disability guidelines or institutional provisions, the University is at liberty to explore such remedies. It is entirely within the University's discretion to assess the case and, if it deems fit, to provide appropriate relief or academic support in compliance with its rules. The Court also emphasises that extending unjustified leniency may set an undesirable precedent and dilute accountability among students, including those with disabilities. Therefore, no further direction shall be issued to relax attendance requirements beyond what has already been allowed.

7.4 The Court recommends that the Respondent University consider providing reasonable accommodation or support to the Complainant, if permissible under its existing policies and rules, without compromising academic integrity.

7.5 Accordingly, the case is disposed of.

**Yours faithfully,**

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**(S. Govindaraj)  
Commissioner**

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