



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/16342/1041/26

Dated: 27/01/2026

Case No. CCPD/16342/1041/2026

In the matter of —

Master Shriyansh Arora

...Complainant

Versus

The Regional Officer,

Central Board of Secondary Education, Gurugram ... Respondent No. 1

The Secretary,

Central Board of Secondary Education (CBSE) ... Respondent No. 2

1. Gist of the Case:

1.1 Master Shriyansh Arora, a person with more than 40% specific learning disabilities (Dysgraphia and Dyscalculia), filed a complaint dated 22.01.2026 regarding denial of proper assistive device(s) arrangement by the examination Board, during his upcoming Class 10th Board Examinations, in violation of the guidelines for conducting written examination for Persons with Benchmark Disabilities.

1.2 The facts relate to the complainant's diagnosis, supported by medical certificates issued from the All India Institute of Medical Sciences (AIIMS), New Delhi, recommending the use of both a computer/laptop and a calculator during examinations due to his physical limitation in writing in

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few subjects. For the past four years, his school, Shiv Nadar School, Gurugram, has allowed both facilities. However, the Central Board of Secondary Education (CBSE) is permitting only one facility, either a computer or a calculator, not both, despite the exams starting in about 10 days from the complaint date and the admit card expected within 3-4 days.

1.3 This refusal violates Clause VIII and Clause XIII of the "Guidelines for Conducting Written Examination for Persons with Benchmark Disabilities" issued by the Ministry of Social Justice and Empowerment, Department of Empowerment of Persons with Disabilities (Divyangjan), dated 29.08.2018, which allows options for modes like computer, Braille, or assistive devices such as talking calculators.

1.4 The Complaint prayer includes urgent directions to CBSE to allow the usage of both i.e. a computer and a calculator during the class 10th Board examinations to enable the complainant to write the exams properly, in compliance with the medical recommendations and the Government guidelines.

2. Hearing:

2.1 A hearing was held on 27.01.2026 in hybrid mode, wherein the following were present :

Sl. No.	Name & Designation	On behalf of	Mode
1.	Smt. Kanika Arora (Mother of Master Shriyansh & Representative)	Complainant	Online
2.	Shri Satya Saroj, Under Secretary, CBSE	Respondent	Online

2.2 The Respondents cited CBSE guidelines of 2020, allowing only calculators for SLD candidates and denying computers. The Respondent submitted that computer is allowed only to students with mental illness. The Court without justifying potential misuse or undue burden.

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2.3 The court noted that facilities like computers, calculators, and assistive devices fall under "reasonable accommodation". The term has been defined under **Section 2(y) of the RPwD Act, 2016**, as **“necessary and appropriate modification and adjustments, without imposing a disproportionate or undue burden in a particular case, to ensure to persons with disabilities the enjoyment or exercise of rights equally with others”**.

2.4 The Court sought from the representative of the Respondent as to what is the objective of allowing computers to candidates with mental illness and why allowing the same to the Complainant is a disproportionate or undue burden or whether they apprehend any potential for misuse of the facility. The representative could not respond to these queries except stating that the CBSE guidelines do not allow extending the facility of computers.

2.5. The Court noted that **Sections 16 (inclusive education) and 17 (specific measures for PwDs) of the RPwD Act, 2016 read with the DEPwD OM dated 29.08.2018 and a subsequent OM dated 10.08.2022**, issued in pursuance to Supreme Court judgments in **Vikash Kumar v. UPSC (2021) 5 SCC 370**, underscore inclusive education and individualized accommodations. They make it abundantly clear that reasonable accommodations can not be exhaustively enlisted. Authorities need to apply them on a case to case basis after determining the accommodations that will be necessary in a given case to equalise the opportunity of the applicant on par with his or her peers.

3. Observations and recommendations:

3.1 The denial of the accommodations sought by the Complainant here, apparently violates the RPwD Act, 2016, and the DEPwD guidelines, as accommodations must be case-specific, not rigidly codified. CBSE's 2020 guidelines cannot override statutory mandates or judicial precedents, emphasizing reasonable accommodation not just in letter but in spirit as well. That said, necessary checks in terms of suitable invigilation and disallowing own computer, etc. can be resorted to obviate any possibility of misuse or malpractice during the examination.

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3.2 The Court recommends that the Respondents:

- (a) Provide both a computer and a calculator, wherever required by the Complainant to enable him to appear in the examinations.
- (b) Ensure all accommodations per medical certificate, Statutory provisions of sections 16 and 17 and instructions of the appropriate government, including a one-day prior electronic device/ system check as per DEPwD guidelines.

3.3 The Respondents shall sensitize examination centers on the facilities provided to the CWSN.

3.4 If the Respondents are of the view that there exist legal and cogent reasons for denying any part of the above accommodation, they shall file a detailed affidavit justifying the same and appear in person through a senior officer not below the rank of Group A competent to take a decision and swear an affidavit for personal hearing **at 1100 Hrs, on 28.01.2026**. In case of full acceptance of the above recommendation, a personal appearance will not be required and a written action taken report will suffice. In other words, non-appearance will be presumed as acceptance of all the recommendations.

3.5 In case of non-acceptance of recommendations, not furnishing reasons for the same will be a clear violation of Section 76 of the Act, and this Court will be constrained to consider penal action as deemed appropriate under **Sections 78, 89, and 93 of the RPwD Act, 2016**.

3.6 **The Regional Officer, CBSE, Gurugram**, shall ensure immediate communication of this order to the concerned examination centre/school.

4 This is issued with the approval of the Commissioner for Persons with Disabilities.

Yours faithfully,

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**(Praveen Prakash Ambashta)
Dy. Chief Commissioner**

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