



सत्यमेव जयते

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: 29/01/2026

Case No. CCPD/16342/1041/2026

In the matter of-

Complainant

Master Shriyansh Arora

Versus

Respondent (s)

1. The Regional Officer,
2. The Secretary,

Central Board of Secondary Education, Gurugram

Central Board of Secondary Education (CBSE)

1. Gist of the Case:

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

1.2 The Complainant relied upon his diagnosis, supported by medical certificates 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. For the past four years, his school, Shiv Nadar School, Gurugram, has allowed both

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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 The Complainant further submitted that this refusal violates Clause VIII and Clause XIII of the "Guidelines for Conducting Written Examination for Persons with Benchmark Disabilities" issued on 29.08.2018 by the Ministry of Social Justice and Empowerment, Department of Empowerment of Persons with Disabilities (Divyangjan), which allows options for modes like Computer, Braille, or assistive devices such as talking calculators.

1.4 The Complainant's prayer included urgent directions to the 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. Notice issued to the Respondent(s):

2.1. Considering the urgency and importance of the matter, a Notice for comments cum hearing was issued on 22.01.2026 to the Respondents. The case was scheduled for hearing on 27.01.2026.

3. Hearing:

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

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

3.2 The Respondents cited CBSE guidelines of 2020, allowing only calculators for SLD candidates and denying computers, claiming adherence to internal rules without mentioning any potential threat of misuse or undue burden.

3.3 The Court noted that facilities like computers, calculators, and assistive devices fall under "reasonable accommodation" under Section 2 (y) of the RPwD Act, 2016, and is defined 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".

3.4 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.

3.5 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.

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UPSC (2021) 5 SCC 370, underscore inclusive education and individualized accommodations. They make it abundantly clear that reasonable accommodations cannot 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 equalize the opportunity of the applicant on par with his or her peers.

3.6 The Court recommended that the Respondent:

- (a) Provide the Complainant with a computer and calculator as required and permissible to enable him to appear in the examinations.
- (b) Ensure full compliance with accommodations certified in the medical certificate, statutory provisions (Sections 16 & 17 RPwD Act), and relevant Government instructions, including a one-day prior electronic device/system check as per DEPwD guidelines.
- (c) The Respondents shall sensitize the officials deployed at the examination centres about the needs of the PwDs.

3.7 The Respondents were given liberty to submit comments on affidavit and appear in person by **28.01.2026** if they decided to contest the aforesaid recommendation, informing further that non-appearance will be construed as acceptance.

4. Email dated 28.01.2016 of the Respondent:

4.1 The Joint Secretary (Coordination) filed a reply on behalf of the Respondents vide e-mail dated 28.01.2026 requested for additional time to furnish their comments. The subject captioned in the e-mail read as under:

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"Subject: Request for grant of one week's time to furnish reasons for non-acceptance of the recommendations

The Respondent inter alia further submitted that *"this is the pre- preparation phase for CBSE Board Examination 2026 where about 46 lakh students are appearing for the examinations and due to conduct of CTET examinations 2026. They requested to provide about 15 days' time to the Board to file a reply in the matter."*

5. Observations and recommendations:

5.1 The Court observed that the Respondent vide their email dated 28.01.2026 has sought additional time (captioned in subject as one week, but 15 days in the body of the mail) for submission of reasons for non-acceptance of recommendation and not for working out a way to resolve the grievance in legal boundaries. The Court is also aware of the fact that undue delay in this matter will make these proceedings infructuous and the Complainant will practically be left with no further recourse.

5.2 The Court noted that the Respondent failed to utilize the opportunity given to them vide this court's Record of Proceedings dated 27.01.2026, for exploring any legally tenable feasibility of resolving the issue, by way of a personal interaction with this court on 28.01.2026. Rather, they have sought time for filing reasons of non-acceptance of the recommendations of this court. This Court also observed with due concerns that neither during the hearing on 27.01.2026 nor in their email dated 28.01.2026, the Respondents could cite a single justification or objectives of their internal guideline on the subject, which discriminates the CWSNs from two different categories and which is issued in non-conformity with the DEPwD guidelines on the subject.

5.3 In view of the urgency involved in the issue, and Respondents' expression of clear intent of not accepting the recommendations, further possession of the matter by this court has become untenable. Accordingly, the case is disposed of by reiterating the

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recommendation made in the Record of Proceedings dated 27.01.2026 as contained in para 3.6 above.

5.4 The Respondents shall ensure that the legal rights and reasonable accommodations of the Complainant are not denied. An action taken report shall be submitted within 90 days. Provided that if the Respondents do not accept a recommendation, they shall convey reasons for non-acceptance to this Court within a period of three months, and shall also inform the aggrieved person in accordance with Section 76 of the RPWD Act, 2016. In the event of failure of the Respondents to comply with the above statutory mandate, this Court may be constrained to contemplate action under Sections 89, 92, and 93 of the RPwD Act, 2016.

6. The case is disposed of in these terms.

Yours faithfully,

**(S. Govindaraj)
Commissioner**

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