



न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF THE 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 & Empowerment
 भारत सरकार/Government of India
 5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष : (011) 20892364
 5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364
 Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

Case No: DNO/25/CCPD/5248

In the Matter of

Shri Sunny Kumar Sah **...Complainant**

Versus

The Director, AIIMS, New Delhi **...Respondent**

1. Gist of Complaint

1.1 The Complainant, Shri Sunny Kumar Sah, an MBBS student at AIIMS admitted under the PwD category on 21.10.2022 with low vision and long-standing severe psychiatric illness, filed a grievance regarding the termination of his admission on 18.07.2025. He submitted that his admission was terminated on grounds of inability to cope academically and chronic absenteeism, after which he was directed to vacate the hostel with a penalty. The Complainant alleged discrimination by AIIMS, stating that while several similarly placed students were granted six to ten attempts to clear the first professional examination beyond standard academic rules, he was only permitted five attempts. He further stated that due to his psychiatric illness, he was unable to attend classes regularly, securing only 27% attendance in his first year and being unable to attend in 2024. He submitted that he has been rendered homeless as his permanent residence is in a rural village in Madhubani district, Bihar, and despite sending multiple representations seeking one additional opportunity to clear the examination with the 2025 batch, all his requests were rejected. He has requested the intervention of this office for his reinstatement and an additional attempt.

2. Hearing

2.1. A preliminary hearing was conducted on 02.01.2026 in online mode,

wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Shri Sunny Kumar Sah	Complainant
2.	Advocate Anand Varma	Respondent
3.	Dr. Girija Prasad Rath, Registrar	Respondent

3. Record of Proceedings

3.1 The Complainant, Mr. Sunny Kumar Sah, alleged that his admission to the MBBS course at AIIMS was wrongfully terminated on the grounds of academic inability and chronic absenteeism, despite his status as a PwD student diagnosed with multiple disabilities. He contended that the institute discriminated against him by limiting him to fewer opportunities than other similarly situated students who were granted six to ten attempts to clear the first professional examination.

3.2 During the proceedings, the Respondent maintained that the institute strictly respected and accommodated the Complainant's statutory rights under the RPwD Act. The Respondent argued that the Complainant demonstrated chronic absenteeism (such as recording only 27% attendance in his first year and being entirely absent in 2024), completely missed essential training sessions, practicals, and internal assessments, and failed to qualify despite being granted four attempts and an relaxation to continue with a junior batch, violating the institute's rule that mandates striking off a student's name after three failed attempts.

3.3 The Court observed that while the Complainant attributed his low attendance and examination failures to his severe psychiatric condition, structural rules demand minimum attendance to qualify for medical professional examinations. The Court emphasized that a PwD status cannot be treated as a license to remain entirely absent from required curriculum blocks. However, in light of the Complainant's allegations regarding other students receiving up to eight or ten examination attempts, the Court determined that the matter warrants detailed verification to evaluate whether discriminatory practices occurred or if additional avenues of institutional support could be extended. Consequently, the Court recommended the Respondent to submit all supporting documentation, including the official chronology, written warnings, show-cause notices, and details of past student exemptions, within fifteen days, after which the Complainant was permitted

to file a rejoinder.

3. Submissions by the Respondent

3.1 The Respondent, All India Institute of Medical Sciences (AIIMS), New Delhi, represented by the Academic Section, submitted a comprehensive written reply dated 16.01.2026, stating that the Complainant, Mr. Sunny Kumar Sah, was admitted to the MBBS course on 28.10.2022, under the OBC-NCL and PwBD category. The Respondent submitted that despite being fully conscious of the Complainant's statutory rights and difficulties, the institute encountered chronic absenteeism from the very beginning of his enrolment. Specifically, an initial absentee report was issued by the Department of Anatomy as early as 12.12.2022, prompting a formal Recall Notice. By October 2023, compilation of medical school attendance records revealed that the Complainant had secured an aggregate combined attendance of only 27% (including a mere 1.19% in Anatomy), leading to his detention from the regular First MBBS Professional Examination. When the Complainant approached the Academic Section citing mental health challenges like depression and OCD, the Competent Authority proactively directed him to the Student Wellness Clinic and attempted to notify his parents.

3.2 The Respondent further submitted that multiple reasonable accommodations and administrative relaxations were extended to the Complainant on medical grounds. On 23.10.2023, he was permitted to appear in the 1st Professional Supplementary Examination, but he failed to attend. Subsequently, on 05.12.2023, the Complainant tendered his resignation from the course due to persistent mental health issues and homesickness. Out of concern for his welfare, the institute summoned his parents, and on 18.12.2023, allowed the Complainant to formally withdraw his resignation to protect his academic career. He was directed to repeat the entire first year with the 2023 batch but remained completely absent from the mid-semester, end-semester, and subsequent professional examinations. On 05.09.2024, and 01.10.2024, the Complainant and his father submitted fresh requests promising regular attendance if allowed to join the junior 2024 batch. The institute acceded to this via an Office Memorandum dated 17.10.2024, explicitly warning him that this would be his final opportunity and that attendance was mandatory.

3.3 The Respondent asserted that despite these extensive warnings and exceptional relaxations, the Complainant continued to completely skip his curriculum blocks. Show-cause notices and multiple official email reminders were issued throughout November 2024 and January 2025, to which he did not respond. By April 2025, status reports from the Departments of Anatomy, Biochemistry, and

Physiology officially recorded that the Complainant had achieved 0% attendance in both theory and practical classes across multiple semesters. Consequently, his internal assessment marks were recorded as zero. Under the established AIIMS academic rules, the names of students who fail to qualify the First Professional Examination within three attempts (regular and supplementary) must be struck off. Because the Complainant had been granted a total of four distinct examination opportunities (October 2023, December 2023–January 2024, July 2024, and August–September 2024) and continuously absented himself, the institute officially struck his name from the rolls on 18.07.2025, and directed him to vacate the hostel.

3.4 Regarding the Complainant's allegations of discrimination, the Respondent clarified that his case is entirely distinct from the other students mentioned, as those individuals regularly attended classes, practical, and internal evaluations before being granted multiple attempts. The only comparable case was that of another student, Ms. Tandeem Wangmo, who similarly demonstrated continuous absenteeism and whose name was also subsequently struck off the rolls of the institute. The Respondent maintained that since the Complainant never attended a single class or appeared for any internal or professional examination despite receiving continuous institutional support, the allegations of discrimination are entirely baseless and his subsequent representations were rightfully regretted.

4. Rejoinder

4.1 The Complainant filed a rejoinder vide email dated 25.05.2026 following the hearing held on 02.01.2026, reiterating his initial submissions and refuting the Respondent's claims regarding his capabilities and compliance. The Complainant submitted that he is a highly meritorious student who, despite coming from a Bihar State Board background and operating under limited resources, achieved an impressive academic record by securing All India Rank 26 (PwD category) and Bihar State Rank 1 (PwD category) in the NEET-UG 2022 examination. He emphasized that his long-standing psychiatric illness, including severe OCD, was a documented condition present both prior to and after his admission to AIIMS, which severely impacted his day-to-day functions. The Complainant strongly contended that he is facing discriminatory treatment and an unfair academic blockade, pointing out that other similarly situated students were permitted continuation while he faces absolute expulsion. He further stated that he is suffering an irreparable academic loss of over four months since the current MBBS session commenced, and because his hostel accommodation has been forcefully vacated, he has been rendered homeless with no place to stay in Delhi. He asserted that this lack of stable housing and extreme structural uncertainty are actively destroying his

mental health and severely disrupting his ongoing psychiatric treatment, thereby requesting the urgent intervention of the Court to pass appropriate directions for his reinstatement in the interest of justice.

5. Observation and Recommendation

5.1 After a thorough review of the verified institutional records, department status reports, and timelines submitted by the Respondent, the Court is fully convinced that the facts presented by AIIMS are true and accurate, establishing that the statutory prerequisites required to progress through the MBBS curriculum were entirely unfulfilled by the Complainant. Medical education is governed by strict statutory regulations regarding minimum attendance and internal evaluations to ensure clinical competence and patient safety. The Complainant's attendance plummeted to 0% in both theory and practical classes across multiple semesters, leading to zero internal assessment marks and total absenteeism across four distinct regular and supplementary examination opportunities spanning three different batch intakes. Consequently, under established AIIMS academic rules requiring a student's name to be struck off the rolls if they fail to qualify the First Professional Examination within three attempts, the institute acted in full compliance with its regulatory framework, and the decision dated 18.07.2025 to deregister the Complainant is hereby upheld.

5.2 The Court finds the Complainant's allegations of discriminatory treatment under the Rights of Persons with Disabilities framework to be entirely meritless, as the other students cited in his submissions are not similarly situated. Those individuals regularly attended classes, completed practical blocks, and sat for internal evaluations before being granted additional attempts, whereas the Respondent demonstrated absolute administrative parity by similarly striking off the rolls another student, Ms. Tandeem Wangmo, who displayed identical, chronic absenteeism. While the Court deeply sympathizes with the Complainant's documented psychiatric illnesses, including severe OCD and depression, an absolute absence from the entire medical curriculum cannot be remedied by reasonable accommodation. Accommodations are legally intended to facilitate learning and remove structural barriers, but they cannot altogether substitute or eliminate the foundational requirement of physical and academic attendance in medical school.

5.3 Given the Complainant's high academic merit in securing All India Rank 26 in the PwD category of the NEET-UG 2022 examination, it is evident that he possesses immense intellectual potential that should not be entirely lost to his illness. The Court recommends that the Respondent's Academic Section, in active

coordination with the Student Wellness Clinic or the Department of Psychiatry, provide a final round of compassionate counselling to the Complainant and his parents. This institutional guidance should focus on helping the Complainant transition to an alternative academic discipline or career path that is less structurally demanding, carries fewer clinical attendance mandates, and is fundamentally more compatible with his ongoing psychiatric treatment, recovery, and long-term mental well-being.

5.4 Recognizing the Complainant's plea regarding his sudden displacement in Delhi and the subsequent distress caused to his ongoing psychiatric care, the Court deems a brief humanitarian transition period appropriate to prevent further mental health deterioration. It is recommended that if the Complainant requires temporary logistical assistance or has remaining belongings, the Respondent may grant a strictly limited, temporary grace period not exceeding 15 to 30 days solely to allow his family to arrange a safe and organized relocation back to his home state. This temporary accommodation is intended to provide structural stability while his family ensures that his psychiatric treatment and medical records are seamlessly transferred to a local healthcare facility closer to his supportive domestic environment. Consequently, the Court has determined that no further intervention is necessary.

6. Accordingly, the case is disposed of.

S. Govindaraj
Commissioner for Persons with Disabilities