



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
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Case No: CCPD-AD/0003/2026

In the Matter of

Complainant

Ms. Namita Kaur (on behalf of her minor son, Harman)

Versus

Respondent(s)

1. The Principal, Spring Dales School, Pusa Road
2. The Secretary, Central Board of Secondary Education

1. Hearing

1.1. A preliminary hearing was conducted on 18.06.2026 in hybrid mode, wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Ms. Namita Kaur	Complainant
2.	The Principal	Respondent 1
3.	Adv. Advocate Batra	Respondent 1
4.	Ms. Suparna Hazra	Respondent 1
5.	Adv. Kundan Kumar Verma	Respondent
6.	Mr. Rajesh Kataria, Additional Secy	Respondent 2

2. Record of Proceedings

2.1 The Complainant, Smt. Namita Kumar, submitted a grievance dated 22.05.2026 on behalf of her son, Master Harman, a student of Springdales School, Pusa Road, who has been diagnosed with Specific Learning Disability (Dyslexia). The Complainant alleged that despite informing the school authorities and the Special Educator regarding her son's disability, the school failed to provide certain examination accommodations, including the assistance of a scribe and adequate compensatory time during the final examinations. She further contended that the inclusion of a reading comprehension passage concerning dyslexia in the English examination caused considerable emotional discomfort to the child. The Complainant also relied upon a medical opinion issued by the treating clinical specialist, wherein it was advised that repetition of the academic year could have an adverse psychological impact on the child and may significantly affect his emotional well-being. She submitted that the child had consistently progressed in his earlier classes and, therefore, requested that he not be required to repeat Class IX.

2.2 During the proceedings, the Respondent School, represented by the Principal along with learned counsel and an official from the Central Board of Secondary Education (CBSE), submitted that a detailed written response had already been placed on record. The Respondents stated that it was the school which had first observed the student's persistent academic difficulties during Class VIII and had repeatedly advised the parent to obtain a comprehensive psycho-educational assessment. It was submitted that the student was eventually evaluated at Sir Ganga Ram Hospital in October, and the diagnostic report confirming Specific Learning Disability was furnished to the school towards the end of November during the Class IX academic session. Immediately thereafter, the school extended all permissible accommodations available at the institutional level, including additional academic support classes, extra time during examinations, exemption from deduction of marks for spelling errors, and curriculum modification by permitting the replacement of two academic subjects with Home Science and Painting, both of which the student successfully completed.

2.3 The Respondents further submitted that the written application submitted by the parent specifically sought the grant of compensatory time and did not request the provision of a scribe. It was also explained that since the disability certificate and diagnostic assessment were received after the prescribed timeline for registration of Children with Special Needs (CWSN), the student's formal registration under the CBSE CWSN category could not be completed for the

relevant examination cycle. Nevertheless, the school extended the maximum accommodations available within its administrative competence and additionally provided the student an opportunity to appear in a supplementary assessment in the subjects in which he had not secured the minimum qualifying marks. The representative of CBSE clarified that under the prevailing examination framework, substitution is permissible only in respect of two specified subjects for eligible CWSN candidates, and the minimum qualifying standard of 33% marks for promotion continues to apply uniformly to all students unless otherwise specifically exempted under the applicable regulations.

2.4 Upon consideration of the submissions made by both parties, the Court observed that the matter raises issues relating not only to examination accommodations but also to the timely identification and implementation of educational support for children with Specific Learning Disabilities. The Court noted that the Respondent School had demonstrated a proactive approach in identifying the student's learning difficulties and had encouraged the parent to obtain a professional assessment. Following receipt of the diagnosis, the school also appears to have extended the accommodations that were administratively available within the applicable CBSE framework. At the same time, the Court observed that the formal diagnosis and consequential implementation of structured accommodations occurred at a relatively advanced stage of the academic session, thereby limiting the effectiveness of such interventions. Early identification, timely assessment, and continuous implementation of reasonable accommodations constitute essential components of inclusive education under the Rights of Persons with Disabilities Act, 2016 and significantly improve educational outcomes for children with learning disabilities.

2.5 The Court further observed that inclusive education is founded upon active collaboration between educational institutions, parents, and medical professionals. While schools are expected to remain vigilant in identifying learning barriers and extending appropriate support, parents also play an equally important role in ensuring that developmental or learning concerns are assessed at the earliest opportunity so that appropriate interventions may be initiated without delay. The Court noted that the medical opinion advising against class repetition merits due consideration from the perspective of the child's emotional well-being; however, such opinion, by itself, cannot override the academic regulations and minimum eligibility criteria prescribed by the competent educational authority.

2.6 In the interest of arriving at a comprehensive and equitable determination, the Court considers it appropriate to obtain certain additional material before passing final orders. Accordingly, the Respondent School is advised to conduct a

comprehensive review of the academic support and reasonable accommodations extended to the student throughout the relevant academic session and to submit a detailed Action Taken Report (ATR), together with the student's academic progress records and details of the accommodations provided, within seven (07) days from the date of issuance of this Order. The Complainant is likewise advised to place on record the student's academic progress reports, relevant medical documents, and any additional material considered necessary in support of the grievance within the same period. Upon receipt and consideration of the above documents, the Court shall proceed to pass an appropriate final order in accordance with law.

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

(Vikas Trivedi)
Dy. Chief Commissioner