



सत्यमेव जयते
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-0165/2026

In the Matter of

Complainant

Dr. A. Chidambaram

Versus

Respondent(s)

1. The Director, National Institute of Speech and Hearing (NISH)Thiruvananthapuram
2. The Member Secretary, Rehabilitation Council of India

Record of Proceedings

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1. Hearing

1.1. A preliminary hearing was conducted on 02.09.2026 wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Dr. A. Chidambaram	Complainant
2.	Dr Suja K Kunnath Professor and Principal NISH, Thriuvananthapuram	Respondent 1
3.	Manju S., Associate Professor (I/C), Vice	Respondent

	Principal (ASLP courses), NISH, Thriuvananthapuram	1
4.	Soja Olivar, Administrative Officer, NISH, Thriuvananthapuram	Respondent 1
5.	Sherin Jude, Administrative Assistant, NISH, Thriuvananthapuram	Respondent 1
6.	Dr. Rajesh Kr Verma, Deputy Director, RCI, Delhi	Respondent 2

2. Record of Proceedings

2.1 During the proceedings, the Complainant, Dr. A. Chidambaram, a person with 100% visual disability, submitted a grievance dated that his daughter, Ms. Varsha, applied for admission to the M.A./M.S. Speech Language Pathology (MASLP) course at NISH, Thiruvananthapuram, for the academic year 2026 under the Management Quota – Non-Keralite category. He stated that she secured 96% marks in her BASLP course and 6th rank in the Management Category merit list. He submitted that, as per the NISH prospectus, seats were available under the Management quota for Indian citizens and non-Keralite candidates were allowed admission under this quota in the previous academic year as well. However, despite securing 6th rank, his daughter did not receive an admission call letter from the institute for the reference course. On enquiry, they came to know that non-Keralite candidates under the Management quota are not being considered for admission in the current year, although this restriction was not mentioned in the prospectus. He further submitted that he visited the NISH campus and submitted a request on 10.08.2026 for consideration of his daughter's admission. He requested that his daughter be considered for admission under the Management Quota or, if required, against a supernumerary seat for the academic year 2026.

2.2 Dr. Rajesh Kumar Verma, Director, Rehabilitation Council of India (RCI), appearing on behalf of Respondent 2, submitted that RCI had no direct role in the admission process at NISH. He stated that, with regard to the State quota and reservation policy, the applicable State policy was required to be implemented by the concerned institution/State authorities. He further submitted that RCI was not responsible for conducting or controlling the admission process.

2.3 The representative of NISH, Thiruvananthapuram Dr. Suja K. Kunnath, Principal, submitted that NISH did not independently conduct admissions and that candidates were admitted on the basis of allotments made by the competent authority. It was submitted that NISH could admit only those candidates whose names appeared in the allotment list issued by the competent authority. The NISH representative further submitted that, while NISH had management seats in the previous academic year, no management seats had been allotted to NISH for the current admission process. According to the Respondent, the seats available to NISH for the relevant course were merit seats and the admission process was being conducted in accordance with the prospectus issued/approved by the Government of Kerala.

2.4 The Respondent stated that the prospectus continued to provide for admission under the management category in respect of institutions having such seats and also contained provisions concerning non-Keralite candidates. However, NISH had not been allotted management seats for the current admission process. During the proceedings, the NISH representatives were asked to clarify the basis of the decision by which management seats were no longer available to NISH.

2.5 The NISH representatives further informed the Court that the approved prospectus had been received from the Government of Kerala on 09.06.2026 and that the said prospectus provided for seats allocation schedule at NISH. The representatives stated that the relevant documents were shared during the hearing. With regard to reservation, the NISH representatives submitted that the reservation structure reflected in the prospectus followed the applicable State policy on the subject. It was stated that the reservation breakup included 60% for the State category referred to during the proceedings as socially and educationally backward classes, 30% for Scheduled Caste and 10% for Scheduled Tribe categories. The Respondent further submitted that the reservation policy was followed in accordance with the prospectus and the allotment made by the competent authority, and the same needs to be cross verified.

2.6 The NISH representatives stated that out of the sanctioned seats in the relevant course, one seat remained to be filled and that the said seat was earmarked for the concerned reserved category. The representatives further submitted that the admission list was supplied

by the LBS Centre, through which the admission process was being conducted, and that the Complainant's daughter did not figure in the list provided to NISH till date.

2.7 The Complainant further submitted that the LBS admission notification had been issued on 16.06.2026 and that the said notification referred applicants to the earlier admission advertisement/prospectus, which did not contain any restriction excluding non-Keralite candidates from consideration. It was submitted that a subsequent notification issued on 30.06.2026 contained a stipulation concerning admission of Keralite candidates. According to the Complainant, this restriction was introduced later (after the initial admission notification/application process) and was therefore not adequately disclosed to the candidates at an appropriate stage.

2.8 It was further submitted the, representations had been made before the LBS Centre, Director NISH, the concerned authorities of the state Health Department and other authorities requesting that the case of the Complainant's daughter be considered empathetically, particularly in view of her merit and her long-standing intention to pursue the course at NISH. The Complainant submitted that despite approaching the concerned authorities, no satisfactory response or relief was provided, therefore complainant had on other option but to lodge the present complaint before this Court.

3. Observations and Recommendations

3.1 The Court observed that the grievance primarily concerns the admission policy applicable to NISH,Thiruvananthapuram including the availability of management seats, eligibility of non-Keralite candidates, and the role of the LBS Centre in the allotment process. The Court noted that the position regarding the non-availability of management seats at NISH,Thiruvananthapuram appeared to have been clarified only subsequently through a Government order/communication. The Court considered it necessary to examine the chronology of the relevant admission notification, prospectus and subsequent Government orders, and to ascertain whether the applicable restrictions were timely disclosed to the prospective candidates.

3.2 The Court further observed that, as the LBS Centre had

undertaken the admission/allotment process, its records and justification were necessary to ascertain, as to why the Complainant's daughter, stated to have secured 6th rank, was not allotted a applied seat. The Court also noted that the reservation framework placed on record did not clearly reflect reservation for Persons with Disabilities, the statutory rights and reservation entitlements of Persons with Disabilities under the Rights of Persons with Disabilities Act, 2016, must be duly reflected and implemented in the applicable admission framework. The Court considered this aspect very relevant for the competent authorities to examine.

3.3 The court also observed that the immediate grievance in the present complaint concerns the non-Keralite admission, which must be examined with relevant facts, by the competent authorities.

3.4 Apropos, the Court recommends that the matter be forwarded to the State Commissioner for Persons with Disabilities, Kerala, for examination of the following aspects:

- (i) The complete chronology of the admission notification, prospectus, subsequent notifications and Government orders governing the relevant admission process;
- (ii) The basis and date from which management seats ceased to be available to NISH,Thiruvananthapuram;
- (iii) Whether the exclusion/restriction concerning non-Keralite candidates was disclosed to applicants at the stage of the original admission notification/prospectus;
- (iv) The role of the LBS Centre in preparing the merit/allotment list and the reasons why the Complainant's daughter, stated to have secured 6th rank, was not allotted a seat;
- (v) The manner in which the applicable reservation policy, including reservation for persons with disabilities, has been incorporated and implemented in the admission process; and
- (vi) Any other issue arising from the records which may have a bearing on the Complainant's grievance.

3.5 The Court recommended that the State Commissioner for

Persons with Disabilities, Kerala, may take up the matter in coordination with the LBS Centre, NISH, Thiruvananthapuram and the concerned authorities of the Government of Kerala and take appropriate action in accordance with law. The State Commissioner for Persons with Disabilities, Kerala, may intimate the outcome of the case to this Court for information at the earliest.

(Vikas Trivedi)
Dy. Chief Commissioner