Case No. CCPD/15715/1031/24 **Dated:** 16/06/2025

Case No.16068/1033/25

In the matter of:

Alima Anwar **...Complainant**

Versus

The Registrar

University of Delhi **... Respondent No.1**

The Director

Pt. Deendayal Upadhayaya National

Institute for Persons with Physical Disabilities **... Respondent No.2**

1. Gist of Complaint

1.1. Ms Alima Anwar, a person with 70% Locomotor Disability – Left Lower Limb (One Leg), filed a complaint dated 03.09.2024 regarding denial of admission on the reserved seat in Master of Physiotherapy at the Pt. DDUNIPPD, New Delhi. The Complainant submitted the following points:

(a) Based on the Central University Entrance Test [CUET] score, she was allocated a seat in the Amar Jyoti Institute in Master of Physiotherapy, whereas her first preference was PDUNIPPD.

(b) When she visited Amar Jyoti Institute of Physiotherapy after admission, she realised that there was no provision of lift; and the MPT classes were conducted on the third floor. It was difficult for her to navigate through the stairs, and her treating doctors at AIIMS, New Delhi had strictly advised her to avoid stairs after amputation as she used prosthetic leg for walking.

(c) On pursuing with the PDUNIPPD she found that the seat under PWD category quota for Master in Physiotherapy at PDUNIPPD was still vacant, which was also confirmed by the Director of the PDUNIPPD to the Dean (Admission), DU through email.

(d) She stated to be continuously in contact with the Delhi University and PDUNIPPD since 18th July, 2024 including personal visits to the University of Delhi, Admission Block twice - once on 22nd July, 2024 and second on 20th August, 2024, but she did not receive any help.

1.2. She prayed to intervene into the matter to allocate her a seat in PDUNIPPD for admission under PWD category quota on humanitarian/special ground.

2. Notice issued to the Respondent:

2.1. In the light of sections 3, 4, and 32 of the Rights of Persons with Disabilities Act, 2016 [hereinafter "the Act"], notices dated 05.09.2024 and 25.10.2024 were issued to the respondents for forwarding to this Court their comments on affidavit on the complaint within the statutory time limit.

3. Reply from the Respondent:

3.1. Respondent No. 1: No reply received

3.2. Respondent No. 2 vide reply dated 04.11.2024, furnished the following points:

(a) The PDUNIPPD has permission from the University of Delhi to start Master's in Physiotherapy (MPT); and according to the seat matrix of the University of Delhi at

Point No. (e) persons with Orthopedic impairment were provided preference in their respective category.

(b) The admission to MPT course and allotment of seat were conducted by the University of Delhi. The role of PDUNIPPD is only to verify the documents of the allocated candidate and accept or reject their case.

(c) 5% seat of the total sanctioned strength in each programme of all colleges are reserved for the candidates who are PwBD.

(d) The Complainant had secured 143 marks in CUET (PG)-2024 under General/UR category with sub-category PwBD; and she had applied spot round for admission in MPT. Accordingly, she was allotted Amar Jyoti Institute of Physiotherapy.

(e) The rules of admission under spot round of University of Delhi as notified on 02.08.2024 are as under:

(i) Candidates who applied for CSAS (PG)-2024 but are not admitted to any Department/Centre/College on the date of declaration of the Spot Admission Round can participate.

(ii) It will be mandatory for the candidate to take admission to the seat allocated in a Spot Round-II.

(iii) There will be no option of 'Upgrade' or 'Withdraw' during the Spot Admission rounds. The seat allocated in a particular Spot Admission round will be final and will not be upgraded in any subsequent round of Spot Admission rounds.

(f) There were several subsequent admission rounds conducted by the University of Delhi that were performance-based, or for the wards of University of Delhi staff and sports etc., which were all not listed/open for the PDUNIPPD.

(g) The PDUNIPPD had requested vide email dated 31.08.2024 to the University of Delhi to consider Ms. Alima Anwar for MPT program at PDUNIPPD against the one vacancy under MPT (Sports) out of ten, MPT (Orthopaedics) 12/12 filled and no vacancy and MPT (Neurology) – 10/10 filled and no vacancy.

4. Submission made in Rejoinder:

4.1. The Complainant in her rejoinder dated 08.04.2025 requested for early hearing in this matter and to transfer her seat to the PDUNIPPD.

5. Hearing (I):

5.1. A hearing was conducted on 21.04.2025 in hybrid mode in the presence of the following parties/representatives:

Sl. No	Name & Designation of the party/ representative	Mode of appearance
For Complainant:		
1.	Ms Alima Anwar, Complainant	Online
For Respondent No.1:		
1.	Advocate Parv Garg, Counsel for University of Delhi	Online
For Respondent No.2:		
1.	Mr Kunal Choudhary, Dy. Director (Admin), PDUNIPPD	Online
2	Mr Roshan Lal, Lecturer, PDUNIPPD	Online

5.2. After hearing the parties, a Record of Proceedings of the said hearing was issued on 24.04.2025, with the following observations and recommendations:

(a) No written submission was filed by Respondent No.1. The representative/counsel appearing for Respondent No.1 prayed for some more time to file their written submission. Respondent No. 2 informed that they have not admitted any student with disabilities to the course for which the Complainant has applied. The Complainant submitted that 5% of the seats were not reserved for persons with disabilities in the course of the Master of Physiotherapy in compliance with Section 32 of the RPwD Act, 2016. Despite seats being available and unfilled at the institute of her first choice, i.e. the Respondent No.2, she was allocated a private institute, which is not accessible considering her disability. This led to denial of benefits which would have come to her had she been studying in a government institute such as the PDUNIPPD.

(b) The Court advised the Respondent No.1 to submit their reply/comments by 23.04.2025, with a copy to the Complainant, who will submit her rejoinder by 25.04.2025 immediately after the receipt of the reply/comments from the Respondent No.1.

6. Action Taken Report of RoP heard on 21.04.2025:

6.1. Respondent No.1 filed its ATR on 25.04.2025 and submitted that the seats open for admission in the PDUNIPPD were allocated to applicants by the Admission Branch of the University of Delhi, strictly as per the Seat Matrix provided by the Institute. Since the admissions to the course of MPT in the PDUNIPPD were done online through the Central Portal of the University for the first time, the seats submitted by the College got auto integrated in the system. Based on the data fed in the system, the allocations were done. Since the data for PwBD was not exclusively available, the system could not pick any candidate from this category. Hence, Respondent No.1 did not contravene any provision of the Act in any manner and had aced strictly in accordance with law.

6.2 Furthermore, it is furnished that the candidate got admission in MPT (Muscular Skeletal) under UR category in Amar Jyoti Institute and she appeared in Semester-I examination and had applied for Semester-II examination from there.

6.3. Also, the Complainant did not submit any grievance recently for her admission in Amar Jyoti Institute/PDUNIPPD with the Admission Branch. In the light of the above, the Complainant must be advised to continue her remaining one year of the course in Amar Jyoti Institute itself to avoid any inconvenience in the records.

7. Rejoinder submitted by the Complainant

7.1. Complainant vide filed her rejoinders dated 27.04.2025 and 01.05.2025 and expressed her dissatisfaction to the reply filed by Respondent No.1 and submitted that —

(a) Mistake was done by the University of Delhi in updating the seats in the system as PDUNIPPD mentioned in their reply with supporting documents that seat matrix was approved and published by the University of Delhi that states “Orthopaedic disabled will get preference in their respective category.

(b) Chapter 21 of the Common Seat Allocation System for admission to Post Graduate Programme Academic Session 2024-2025 CSAS (PG)-2024] states that PwBD reservation comes under Supernumerary Quota. (Annexure III).

(c) If there were some complications with the online admission, then why the things weren't taken into consideration manually despite her continuous follow-up with the Delhi University and the PDUNIPPD?

(d) She was allocated a seat in Spot Round-1 under UR category at Amar Jyoti Institute of Physiotherapy, so she had to avail that opportunity to avoid year loss, being the only option, and was attending the classes there but with a lot of challenges already explained.

(e) After the third round of counselling, as seat allocation for supernumerary quota was scheduled where she was told that separate merit list for PwBD would be released at the end. It was also told to remain updated with the DU portal.

(j) She visited DU on 20.08.2024 after her seat allocation to Amar Jyoti Institute of Physiotherapy, where she met Prof. Ranjit Bahera, (Contact No. 9911333620) who was looking after admission related queries. He noted all her queries but her fervent appeal for the appointment of Prof. Haneet Gandhi, Dean Admissions DU was refused.

(k) She had received a call from DU landline number by Prof. Ranjit Bahera in the evening of 20.08.2024 that already someone had been allocated a seat in PwBD category at PDUNIPPD. On 22.08.2024, she visited PDUNIPPD and discussed the same with faculties and Director who wrote an email on 31.08.2024 to Prof. Haneet Gandhi that no PwBD candidate was allocated seat at PDUNIPPD, so the Complainant be considered for the PwBD seat. This fact has already been admitted in the reply of Respondent No.2 (PDUNIPPD) dated 04.11.2024.

(l) If the data for PwBD was not exclusively available and the system of DU did not pick any candidate from this category then why Prof. Ranjit Bahera, Admission In-charge, DU provided false information regarding allocation of PwBD seat to someone else.

7.2. The Complainant further submitted that she is suffering physically, financially, mentally and emotionally just because of the negligence caused by University of Delhi. They could have resolved the things as they were enlightened of all the consequences during the counselling process itself. Still DU is advising to continue at Amar Jyoti in place of accepting their mistake and correcting it despite knowing the fact that she has been advised to avoid stairs by the doctor of AIIMS, New Delhi.

8. Hearing (II)

8.1. Second hearing was conducted on 21.04.2025 in hybrid mode in presence of the following parties/representatives:

Sl. No	Name & Designation of the party/ representative	Mode of appearance

From Complainant:		
1.	Ms Alima Anwar, Complainant	Online
From Respondent No.1:		
1.	Advocate Parv Garg, Counsel for University of Delhi	Online
From Respondent No.2:		
1	Mr Roshan Lal, Lecturer, PDUNIPPD	Online

8.2. The Complainant submitted before this Hon'ble Court that she is undergoing undue hardship due to administrative errors committed by the University of Delhi. She further stated that she is facing significant difficulties in pursuing her education at Amarjyoti Institute of Rehabilitation, Delhi due to inaccessible classroom and expressed her unwillingness to continue her studies at the said Institute. She further added that she feels bad for her batch

mates, as they all have to study in the unequipped classroom(s) situated at the ground floor to accommodate her accessibility needs. The proper classrooms are on the second/ third floor are inaccessible.

8.3. The Complainant prayed for a transfer to the PDDUNIPPD in MPT course under the Orthopaedics stream. As per her disability, MPT (Sports) will not be suitable stream for her to make a career in. She further requested that, in the event of non-availability of a seat, the Respondents may consider creating an additional seat under the Persons with Disabilities (PwD) category in order to accommodate her.

8.4. Respondent No. 1 (University of Delhi) submitted that all seats reserved for PwD candidates at PDDUNIPPD have been duly filled, in the requested stream i.e. MPT (Orthopedics). Respondent No. 1 also submitted that since the complainant is already in the middle of second semester therefore the transfer can only be possible after successful completion of second semester. The Respondent No. 2 submitted that one seat is still vacant for PwD, but in the MPT (Sports). On this, the Complainant made strong opposition saying that the firsts semester inputs are general in nature whereas the specialized subjects and field work shall start from the ensuing second semester. Once she undergoes the second semester in MPT in Muscular Skeletal at the Amar Jyoti Institute of Physiotherapy, it may not be possible to change her subject in the third semester.

8.5 The Court took note of the proactive and cooperative approach demonstrated by respondents towards resolving the matter. The Court further recorded that the Complainant's primary grievance is the request of transfer from Amarjyoti Institute to another institute, more suited to her needs, especially accessibility. The Court observed that during the previous hearing, it was assured by Respondent No. 2 that a seat could be made available for the Complainant. In light of the submissions made, this Court makes the following recommendations:

a. Respondent No. 1 shall seek a conclusive response from the PDDU Institute for Persons with Physical Disabilities regarding the possibility of accommodating the Complainant.

b. In the event accommodation at PDDUIPPD is not feasible, then Respondent No. 1 is directed to create an additional seat under the PwD category for the Complainant's admission in MPT (Ortho) and transfer her to the PDDUNIPPD in the second semester itself.

c. Respondent No. 1 is advised to conduct an accessibility audit of all affiliated colleges to ensure compliance with the Rights of Persons with Disabilities Act, 2016, and to submit a comprehensive Accessibility Report to this Court.

d. Additionally, an Accessibility Audit Report of Amarjyoti Institute is to be submitted within a period of 15 days from the date of receipt of this order.

9. The case is disposed of accordingly.

Yours faithfully,

(S. Govindaraj)
Commissioner