



**COURT OF
STATE COMMISSIONER
FOR RIGHTS OF PERSONS WITH DISABILITIES**

**SMT. B. SHAILAJA, M.A., L.L.B
STATE COMMISSIONER**

NOTICE

Case No. RPwD Act/138/2019

Date:26.12.2019

Between

Sri Shastrapani Himanshu,
Flat No.1405,
Aditya Imperial Heights,
Hafeezpet, Hyderabad.

....Petitioner

And

The Principal,
Meru International School,
Chanda Nagar,
Hyderabad.

....Respondent

Sub: RPwD Act – Denial of admission in Meru International School, Chanda Nagar, Hyderabad to Adwita Himanshu in 1st Standard due to the disability – Report called for from the institute – Reg.

Ref: Case No. 1296/1031/2019/11/8431 dated 26/11/2019 from the Court of State Commissioner for PwDs, Government of NCT of Delhi along with a copy of the petition filed by Shastrapani Himanshu, dated 14-11-2019.

The Court of the State Commissioner, RPwDs has received a petition from Shastrapani Himanshu dated 14-11-2019 through the Court of the State Commissioner for PwDs, Government of NCT of Delhi, wherein the complainant made an allegation of denial of admission to his daughter named Adwita Himanshu into 1st standard due to her disability in the respondent school, after clearance of Entrance Test.

The petitioner stated that his daughter secured good marks in the examination. The respondent School called the petitioner and informed that since their daughter has some issues in smooth walking, she cannot get

admitted into the school. The petitioner desired to know whether mere disability in smooth walking comes in the way of her Right to Education and further wanted to know the grounds of denial of admission.

Section 16 (i) of RPwD Act, 2016 which reads as follows:

Section – 16: Duty of educational institutions:

“The appropriate Government and the local authorities shall endeavour that all educational institutions funded or recognized by them provide inclusive education to the children with disabilities and towards that end shall—

- (i) admit them without discrimination and provide education and opportunities for sports and recreation activities equally with others;”***

Notice is hereby issued to the respondent Principal to furnish a detailed report in the matter to this Court within 30 days from the date of receipt of this Notice failing which further action will be initiated under Section 93 of RPwD Act, 2016 which reads as follows:

Section – 93: Punishment for failure to furnish information:

“Whoever, fails to produce any book, account or other documents or to furnish any statement, information or particulars which, under this Act or any order, or direction made or given thereunder, is duty bound to produce or furnish or to answer any question put in pursuance of the provisions of this Act or of any order, or direction made or given thereunder, shall be punishable with fine which may extend to twenty-five thousand rupees in respect of each offence, and in case of continued failure or refusal, with further fine which may extend to one thousand rupees for each day, of continued failure or refusal after the date of original order imposing punishment of fine.”

Sd/-
STATE COMMISSIONER

// Forwarded by Order //


OSD TO STATE COMMISSIONER

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‘Empower the Disabled with Barrier-free Environment’