

DB Civil Writ (PIL) Petition No.1977/2011
(Bhinya Ram Meghwal v. State of Rajasthan & Ors.)

Date of Order :: 23rd July, 2015

HON'BLE MR.JUSTICE GOVIND MATHUR
HON'BLE MISS JUSTICE JAISHREE THAKUR

Mr. Vinay Kothari, for the petitioner.
Mr. Rajesh Panwar, Additional Advocate General, for the
respondents.

....

This petition for writ is preferred to have a direction for the respondents to train adequate number of special teachers to meet the need of the persons with the disabilities as safeguarded under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (hereinafter referred to as 'the Act of 1995').

As per the petitioner in the State of Rajasthan a huge number disables is existing but the Government is not having adequate infrastructure to safeguard their rights specially with regard to free and compulsory education which is a fundamental right and also a statutory compulsion as per provisions of Right of Children to Free and Compulsory Education Act, 2009 (hereinafter referred to as 'the Act of 2009'). It is asserted that as per the Act of 1995 the Government is required to set up a complete structure to provide integration of students with disabilities setting up of special schools in Government as well as in private sector and to equip these schools with specially trained teachers and instructors to extend vocational training facilities for children with

disabilities. An emphasis as per the petitioner was given to have student ratio of 1:8 among the disabled student and teacher with special knowledge and training to educate such students. The education policy of 1986 and a work project undertaken thereunder discusses and provides a complete structure for promotion of the education among the persons differently able.

This Court considering importance of the issue called upon the respondent State and also considered it appropriate to constitute an advisory committee and monitoring committee to have effective and useful mapping of the number of children of different disabilities at different levels and also to examine their needs including teaching faculty and infrastructure. By an order dated 17.12.2014 the petitioner as well as the respondents were directed to name certain NGOs and public spirited persons who are working for the persons specially who are differently able. Learned counsel for the petitioner as well as learned Additional Advocate General have suggested certain names of the persons/NGOs or in any other establishment for the cause of persons who are differently able or who are having wide knowledge of the issue in question.

Having considered the same, we deem it appropriate to constitute a committee consisting of experts for effective and useful mapping about the children of different disabilities at different levels, their infrastructural need to have education and other co-curricular activities, vocational education, vocational and

professional promotion and all other ancillary requirements. The committee shall be headed by Ms. Arti Dogra, IAS, presently working as Managing Director, Jodhpur Vidhyut Vitaran Nigam Ltd.; Shri Manmohan Sharma, Retired Deputy Registrar of Rajasthan High Court, shall act as Member Secretary of the committee. The other members of the committee shall be Smt. Sushila Bohra, Netraheen Vikas Sansthan, Kamla Nehru Nagar, Jodhpur; Shri Kishanlal Garg, Gandhi Badhir Kalyan Samiti, Basni Tambolia, Jodhpur; Dr. Yogesh Solanki, Speech Therapist, Mathura Das Mathur Hospital, Jodhpur, Dr. Neeta Jain, Guest Faculty, Teachers Preparation for Special Education and Higher Education for persons with special needs; and Shri Rajendra Parihar, Sanjeevani Mental Health Rehabilitation and Research Centre, Jodhpur. The Member Secretary shall call first meeting of the committee as per the instructions of the Head of the Committee by taking into consideration the convenience of other members. The respondent State of Rajasthan through the Collector, Jodhpur shall provide necessary aid to the committee for its usual working including need of vehicle to pick-up and drop members of the committee as and when the committee needs. The committee is required to submit its first report on or before 2nd November, 2015. It shall be responsibility of the respondent No.1 to serve a photostat copy of this order upon all members of the committee on or before 10th August, 2015.

Put up on 2nd November, 2015.

(JAISHREE THAKUR), J.

(GOVIND MATHUR), J.

kkm/ps