

ITEM NO.30

COURT NO.3

SECTION X

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 132/2016

RAJNEESH KUMAR PANDEY &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

IA No. 50471/2021 - APPLICATION FOR PERMISSION  
 IA No. 37238/2021 - APPLICATION FOR PERMISSION  
 IA No. 123252/2020 - APPLICATION FOR PERMISSION  
 IA No. 74824/2021 - APPLICATION FOR PERMISSION  
 IA No. 23736/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 97659/2018 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 174218/2018 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 146547/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 146274/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 16355/2020 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 190123/2019 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 21055/2018 - CLARIFICATION/DIRECTION  
 IA No. 97663/2018 - CLARIFICATION/DIRECTION  
 IA No. 115912/2018 - CLARIFICATION/DIRECTION  
 IA No. 173591/2019 - EXEMPTION FROM FILING O.T.  
 IA No. 128163/2017 - EXEMPTION FROM FILING O.T.  
 IA No. 2/2016 - EXEMPTION FROM FILING O.T.  
 IA No. 16358/2020 - EXEMPTION FROM FILING O.T.  
 IA No. 9/2017 - EXEMPTION FROM FILING O.T.  
 IA No. 74820/2021 - GRANT OF INTERIM RELIEF  
 IA No. 30082/2018 - GRANT OF INTERIM RELIEF  
 IA No. 86670/2016 - IA FOR IMPLEADMENT  
 IA No. 27854/2017 - IMPLEADMENT, DIRECTION, OT  
 IA No. 98109/2018 - INTERVENTION APPLICATION  
 IA No. 126356/2017 - INTERVENTION APPLICATION  
 IA No. 97652/2018 - INTERVENTION APPLICATION  
 IA No. 107257/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 98708/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 190121/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 21051/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 12758/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 173590/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 174217/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 146544/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 97651/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 30187/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 129598/2018 - INTERVENTION/IMPLEADMENT  
 IA No. 146273/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 16351/2020 - INTERVENTION/IMPLEADMENT

IA No. 74815/2021 - INTERVENTION/IMPLEADMENT  
 IA No. 146263/2019 - INTERVENTION/IMPLEADMENT  
 IA No. 74381/2021 - INTERVENTION/IMPLEADMENT  
 IA No. 6824/2021 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES  
 IA No. 131315/2018 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES  
 IA No. 6/2017 - PERMISSION TO FILE ANNEXURES  
 IA No. 3/2017 - PERMISSION TO FILE ANNEXURES  
 IA No. 1/2016 - PERMISSION TO FILE LENGTHY LIST OF DATES)

WITH

W.P. (C) No. 876/2017 (X)

(FOR

FOR EXEMPTION FROM FILING O.T. ON IA 29329/2018

FOR impleading party ON IA 29969/2018

FOR INTERVENTION/IMPLEADMENT ON IA 29969/2018

FOR impleading party ON IA 7557/2019

FOR INTERVENTION/IMPLEADMENT ON IA 7557/2019

IA No. 29329/2018 - EXEMPTION FROM FILING O.T.

IA No. 7557/2019 - INTERVENTION/IMPLEADMENT

IA No. 29969/2018 - INTERVENTION/IMPLEADMENT)

Date : 02-05-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE ABHAY S. OKA

For Parties

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Mr. Samir Ali Kha, Adv.

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Mr. Shaik Mohamad Haneef, Adv.

Mr. T. Vijaya Bhaskar Reddy, Adv.

Mr. K.V. Girish Chowdary, Adv.

Ms. Rajeswari Mukherjee, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Mr. Rishi Malhotra, learned *Amicus Curiae* and Mr. Shoeb Alam, learned counsel appearing for the petitioner(s) have handed over a format in which the concerned State/authority is expected to file affidavit and status report. The contents of such compliance report must be in the following format:

LONG TERM COMPLIANCES OF JUDGMENT 28-10-2021		
S.NO	COMPLIANCE REQUIREMENT AS PER JUDGMENT (with corresponding paragraph no.)	COMPLIANCE STATUS
1.	Details of Norms and standards of the pupil teacher ratio prescribed by the Central Government for special schools. <b>(pr. 57(A))</b>	
2.	Details of norms prescribed by the Central Government for special teachers training CwSN in general schools. <b>(pr. 57(A))</b>	
3.	Status of creation of permanent posts of special teachers, commensurate to the ratio specified by the central Government.	
4.	Whether the process of appointment of special teachers on regular basis as per the prescribed ratio has been initiated and	

	completed? <b>(pr. 57(C))</b>	
5.	Whether the process of appointment of special teachers on regular basis will be completed within 6 months or before the start of the next academic session 2022-2023, whichever is earlier? <b>(pr. 57(C))</b>	
6.	Steps taken by training schools/ institutions to augment the number of rehabilitation professionals / special trained teachers? <b>(pr. 57 (D))</b>	
7.	Details of training being given to other teachers (non-special teachers) and staff in general school for being sensitized to handle CwSN in general schools. <b>(pr. 57 (F))</b>	
8.	Whether authorities have explored the possibility of merging unviable special schools with relatively viable special schools in the neighbourhoods for better delivery to the requirements of CwSN? <b>(pr. 57 (G))</b>	

<b>STOP GAP COMPLIANCE AS PER RESHMA PERVEEN'S ORDER</b>		
<b>S.No.</b>	<b>COMPLIANCE REQUIRED AS PER ORDER</b>	<b>Compliance Status</b>
1.	Whether minimum 2 posts of special education teachers (with appropriate mix of various specializations) per school have been created? <i>(Reshma Perveen pr. 62 (i))</i>	
2.	<p>Details of appointments of RCI approved Special Teachers in following categories made in the given ratio? <i>(Reshma Perveen pr. 62 (ii) &amp; (iii))</i></p> <p>a. 1: 5 autism spectrum disorder,  b. 1:5 in intellectual disability,  c. 1:5 in learning disability,  d. 1:2 in deaf-blind,  e. 1:8 in visual impairment,  f. 1:8 in hearing impairment and  g. 1:8 in cerebral palsy</p>	

3.	Action initiated to create or convert the existing post of general teachers into the required number of special teachers at different levels. ( <i>Reshma Perveen pr. 62 (iv)</i> )	
4.	Whether recruitment Rules of special teachers specifies that they may be required to teach not only children with disabilities but also without disabilities? ( <i>Reshma Perveen pr. 62 (vii)</i> )	
5.	Whether the prescribed conditions of service of Special Teachers such as pay etc. is at par with the mainstream teachers? ( <i>Reshma Perveen pr. 62 (vii)</i> )	
6.	Whether states alongwith RCI have planned that all in service mainstream teachers have been mandatorily trained for a given duration, to equip them with the needs of children with different disabilities?( <i>Reshma Perveen Pr. 62(ix)</i> )	
7.	Whether NCERT includes a compulsory module on teaching of children with disabilities in its online digital platform SWAYAM for training of in-service teacher?	
8.	Whether NCTE has issued necessary notification about the eligibility of special teachers to teach children with and without disabilities at appropriate levels? ( <i>Reshma Perveen pr. 62 (vii)</i> )	
9.	Whether NCTE has incorporated in its curriculum of teacher training programs mandatory papers on handling children with disabilities, basic sign language and brail? ( <i>Reshma Perveen pr. 62 (vii)</i> )	
10.	Details of services of special teacher being availed as itinerant teachers as per the SSS within the school block (cluster schools) to optimize the resource persons as a stop gap arrangement? (pr. 57(E)).	
11.	Number of CwSN in State	
12.	Number of Special Teachers in State	
13.	Norms and Standards regarding	8:1 Children with Cerebral

	Pupil-Teacher Ratio	5:1 Palsy Children with Intellectual disability 2:1 Children with Deaf-Blind Children
14.	Present Status of each State as per norms	
15.	Vacancies of Special Teachers as per norms	
16.	Steps taken/Appointments made by State to achieve Pupil-Teacher Ration	

All the States/authorities to file compliance report-cum-affidavit in the above format within two weeks and give advance copy to the learned *Amicus Curiae* and Mr. Shoeb Alam, learned counsel, so that the *Amicus Curiae* can tabulate the relevant information for our consideration on the next date of hearing.

List these matters on 19.05.2022.

(DEEPAK SINGH)  
COURT MASTER (SH)

(VIDYA NEGI)  
COURT MASTER (NSH)