



सत्यमेव जयते

न्यायालय मुख्य आयुक्त विकलांगजन
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES
विकलांगजन सशक्तिकरण विभाग / Department of Empowerment of Persons with Disabilities
सामाजिक न्याय और अधिकारिता मंत्रालय / Ministry of Social Justice and Empowerment
भारत सरकार / Government of India

Case No.5166/1033/2015

Dated: 05.09.2016

In the matter of:

Shri Krishan Kumar, 0298
Village & P.O. – Purbani,
District – Kinnaur,
Himachal Pradesh - 172107

..... Complainant

Versus

National Handicapped Finance &
Development Corporation, 0299
Through : Chairman & Managing Director,
PHD House, 4/2, Siri Institutional Area,
August Kranti Marg, New Delhi-110016.

..... Respondent

Date of Hearing : 21.07.2016

Present :-

1. Shri Krishan Kumar, Complainant.
2. Shri Shankar Sharma, Assistant Manager (Project), on behalf of Respondent.

ORDER

The above named complainant, a person with disability filed email's complaint dated 10.09.2015 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred to as the Act regarding rejection of his scholarship application No. TF/14/04929 by NHFDC.

2. The complainant submitted that his scholarship application No. TF/14/04929 has been rejected by NHFDC. But the reason of rejection stated on the website of NHFDC is unspecified, objectionable in nature and is a kind of fraud against him. The said reason stated by NHFDC that he got admission without competitive examination is mere a harassment to a person with disability. He has further submitted that on 4th August, 2015 he has also sent eight page attachments by Speed Post to the Assistant Manager, NHFDC, August Kranti Marg, Hauz Khas, New Delhi. In these attachments, on page No. 3 of serial No. 5 contains his name, father's name – Dhan Dev, Merit Rank 130 and Marks in Entrance 87 which proves that his admission is done under the strict competitive examinations procedure held for the technical/professional courses.

3. The matter was taken up with the respondent vide this Court's letter dated 16.10.2015.

4. A copy of representation dated 02.11.2015 received from the complainant was forwarded to the respondent vide this Court's letter dated 17.11.2015.

.....2/-

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E-mail: ccpd@nic.in ; Website: www.ccdisabilities.nic.in
(कृपया भविष्य में पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखें)
(Please quote the above file/case number in future correspondence)

5. Assistant Manager (Project), NHFDC vide his letter dated 02.12.2015 has submitted that as per the guidelines of Trust Fund Scholarship Scheme, the students who get admission in technical/professional courses without facing any competitive examination will also be eligible for scholarship. However, such students should have not less than 50% marks at higher secondary/graduation level. Selection of these students will be done strictly on merit basis. NHFDC has rejected the scholarship of the complainant on the basis of securing less than 50% marks in Graduation as well as not enclosing any proof of getting admission in B.Ed Course after facing competitive exam and later on upto 30.06.2015. NHFDC has also denied the receipt of application after 30.06.2015.

6. This Court vide letter dated 14.01.2016 advised the respondent to reconsider the whole issue and furnish their clarification alongwith a copy of the application for scholarship submitted by the complainant.

7. The respondent vide letter No. NHF/2/22(8)/2014/10624 dated 29.01.2016 submitted that there are large number of Institutes/Colleges/Universities in India which are giving admission in B.Ed Courses on the basis of percentage of marks in Graduation/previous qualification. Some Institutes/Colleges/Universities like North Bengal University, MDS University, Rohtak, Dr. Shakuantala Misra Rehabilitation University, Lucknow and Regional Colleges in many states etc. were given admission in B.Ed course on the basis of percentage of marks in Graduation in Academic Year 2014-15. Therefore in case of students having less than 50% marks in Graduation/previous qualification, NHFDC seeks documentary proof from students of getting admission through Entrance Exam in B.Ed course in order to ascertain their eligibility of student as per the scholarship scheme Trust Fund. It is worth mentioning here that NHFDC receives large number of application every year against the limited number of scholarships under Trust Fund (Scholarship Scheme), even some eligible applicant's remains waitlisted in every Academic Year. The allegations made by the complainant on NHFDC are incorrect. NHFDC has been implementing scholarship scheme Trust Fund as per the guidelines of the scheme.

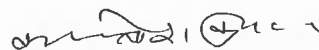
8. Upon considering the replies dated 02.12.2015 and 29.01.2016 of respondent and the rejoinder dated 02.11.2015 received from the complainant, a hearing was scheduled on 21.07.2016.

9. During the hearing, the complainant reiterated his written submissions and submitted that he had studied B.Ed one year through entrance test held for the year 2014-15 and got admission in B.Ed College through competitive examination. He applied for the scholarship from NHFDC. The reason stated by NHFDC is that I got admission without competitive examination even after I provided the enough proof regarding his admission has been done after a competitive examination. He prayed for justice in this case.

10. The respondent submitted that the complainant had applied for scholarship under Trust Fund Scholarship Scheme for pursuing B.Ed in Academic year 2014-15. As per the guidelines of Trust Fund Scholarship Scheme "the students who get admission in technical/professional courses without facing any competitive examination will also be eligible for scholarship. However, such students should have not less than 50% marks at higher secondary/graduation level." The complainant secured less than 50% marks (41.66%) in graduation and he did not enclose any proof of getting admission in B.Ed. Course after facing competitive exam. As such, he was not eligible for scholarship in Academic Year 2014-15. The complainant submitted documents on dated 21.07.2015, 04.08.2015 and 10.09.2015 to NHFDC after last date of receipt of application/documents for Academic Year 2014-15. Hence he was not eligible for scholarship during the Academic Year 2014-15.

11. After hearing the parties and perusal of record, this Court observed that complainant has filed incomplete application for grant of scholarship. As per the scheme, students who get admission in technical/professional courses without facing competitive examination, will also be eligible for scholarship. However, such students should have not less than 50% marks at Higher Secondary/Graduation level. Selection of the students should be done strictly on merit basis. In the instant case, the complainant has scored less than 50% marks in Graduation and had also not enclosed the copy of any proof of getting admission in B.Ed Course after passing the competitive examination. Therefore, he was not eligible for scholarship. Hence, his grievance for grant of scholarship is rejected.

12. The case is accordingly disposed off.



(Dr. Kamlesh Kumar Pandey)
Chief Commissioner
for Persons with Disabilities

N.O.O.:

Copy to :- Record File.