



Extra

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. 5197/1033/2016

Dated 18.04.2017

In the matter of:

Ms. Satyapriyanka R.,
D/o Shri r. Subramanya Sharma, R-564
H.No.5-4-690, Plot No.79,
Yadireddy Thota, Kamalanagar,
Vanssthalipuram, Hyderabad
Email – Satyapriyanka.r@gmail.com

.... Complainant

Versus

English and Foreign Languages University,
Through: Registrar,
Hyderabad-500007

.... Respondent No.1

The English and Foreign Languages University, R-566
Through: Head of Department of Cultural
Studies,
Hyderabad-500007

.... Respondent No.2

Date of Hearing – 22.12.2016 and 07.02.2017

Present:

22.12.2016:

None appeared on behalf of the parties

07.02.2017:

- (1) None appeared on behalf of complainant.
(2) Dr. V. Rajasekhar, Deputy Coordinator on behalf of respondents.

ORDER

The above named complainant, a person with visual impairment filed a complaint dated 12.09.2015 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred to as the 'Act' regarding prevention of termination of her Ph.D. programme by the respondents;

2. The Complainant submitted that she joined Ph.D. Programme in 2014-15 in the Department of Cultural Studies, The English & Foreign Language University, Hyderabad. The Department informed her that she had failed in the course-work the course-work titled – “Contemporary India” offered to her by Professor Madhava Prasad. She submitted all the assignments and the final term paper asked by him. She felt that she does not deserve ‘F’ grade in this course work as she got B and B+ in other three courses. She attended most of the classes and tried her level best to cope up with other students and with the Professor in understanding the course. She also alleged that she was not given second chance to re-write her term paper. If the Professor was not satisfied with her first submission, he could have conveyed to her the shortcomings directly or could give her a chance to resubmit her course works. Nothing of that sort was ever done and she suspected of some mysterious plotting to fail her deliberately for the reasons best known to Professor Madhava Prasad and the Department of Cultural Studies. The Department is simply quoting the University Rule Book which says that if a student get ‘F’ or ‘D’ grade in the course works, his or her admission will be cancelled.

3. The matter was taken up with the respondents vide letter dated 14.10.2015.

4. Respondent No.1 in their reply vide letter dated 23.11.2015 submitted that the complainant was unable to fulfil the condition of passing all the papers as per rules and ordnances No.12.15(b) which reads that – *“A scholar who has a Grade D or F in any of the courses in part I shall not be eligible to continue in the programme.”*

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5. The respondent No.2 in their reply vide letter dated 03.12.2015 submitted that the complainant was awarded ‘F’ grade on account of her – (i) irregularity in attending the course; (ii) her not heeding his academic suggestions during semester; (iii) unsatisfactory performance; and (iv) plagiarism in the assignment submitted. As per rules of University, Grade ‘F’ student cannot continue in the programme. However, she was suggested to appeal through her supervisor and advisory committee to Vice Chancellor, but she appeared not to have submitted such an appeal and instead approached this Court accusing Prof. Prasad of some mysterious plotting.

6. The complainant in his rejoinder dated nil (received on 22.01.2016) refuted the allegations of negligence, etc. labelled by the respondent. She submitted that

she was given admission in a subject which was not related to academic background and when she was putting all her efforts to cope up with the subject the course instructor instead of encouraging and guiding her misguided her and when he could not succeed in his endeavour, he gave her a low grade and failed her with an intention to get her admission cancelled. She was interested in doing research on disability studies but the Head of the Department specifically asked her to do such subject which was in accordance with the faculty interest and it took a lot of time to find the supervisor/guide for disability studies.

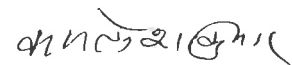
7. Upon considering the replies of the respondents and the rejoinder submitted by complainant, the case was scheduled for personal hearing on 22.12.2016 and vide Notice of Hearing dated 01.12.2016, the parties were summoned to appear before the Court.

8. During the hearing on 28.12.2016, none of the parties appeared nor was any intimation received about their inability to attend the hearing despite the fact that the Notice of Hearing was sent on 02.12.2016 by Speed Post. This Court notes with serious concern, the utter disregard shown by the complainant and respondent. However, in the interest of justice, the case was scheduled for hearing on 07.02.2017.

9. During the hearing, the representative of the respondents intimated that the complainant, on the similar issues, has already filed Writ Petitions No.42801 of 2015 and No.33171 of 2015 before the Hon'ble High Court of Judicature at Hyderabad which are subjudice. The representative also submitted a copy of the Counter Affidavit filed on behalf of the respondents in Writ Petition No.33171 of 2015.

10. In view of the above, since the complainant has already filed Writ Petition before the Hon'ble High Court of Judicature at Hyderabad and the same are subjudice, no further intervention is required in the matter.

11. The case is accordingly closed.



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