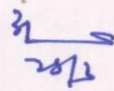
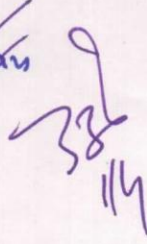


Commission's observations placed on flag A  
for concurrence.

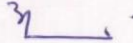
  
for

A. N. Tulpaihi

Humble chairman



Issue order



Before the Maharashtra State Commission for  
Protection of Child Rights.

Appeal under section 31 & 32 of Right to Education  
Act 2009 along with section 13(1) & 14 of the child  
right protection act, 2005

Case No.118 / 2013-14

Ms. Mandabai Gopinath Gade ... Applicant

V/s

Saraswati Secondary and Higher Secondary School,  
Daulavadgaon ... Respondent

Background

This matter came before the Commission by Complainant Ms. Mandabai Gopinath Gade making allegation against the Respondent i.e. School. Complainant has alleged that his son who is student of Respondent school in Std. IX is being mistreated by teachers and principal of the school. Since teachers are using casteist and abusive language, therefore Complainant son has stopped to join class. The Respondent's school through its Head Master has filed reply and denied charges levelled against school. He has submitted that the son of Complainant is not coming in the school, on his own therefore it is not violating of provision of Right to Education Act. Respondent is a journalist and habitual to send Complainant. Therefore, he is making false allegation against the school. Since son of the Complainant was not attending the school therefore his Transfer Certificate was issued however it was returned by Complainant.

2. When matter listed before the Commission then Complainant could not be able to adduce any evidence by which it can be established that his son is not attending school due to ill treatment committed by the Principal and teachers of the school. However in the interest of justice and seeing the content of the complaint, it need to be called report from the local authority who is authorised under the Act to settle the issue.

3. The Complainant's son is student in standard IX therefore matter does not fall under Right to Education Act, even violation of Child Right is not being established therefore Commission's recommendation is as follows :

4. Disposed off the matter with direction to school education department to sort out the matter and submit the report.

By order and seal of the Commission.

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A. N. Tripathi  
I.F.S.  
Secretary  
M.S.C.P.C.R.



Ujjwal Uke  
I.A.S.  
Chairman (in-charge)  
M.S.C.P.C.R.

Dt 1/4/2014