

Commission's recommendation is placed on flag 'A' for concurrence

30.12

A. N. Tripathi
Secretary
MSC PCR

CHAIRMAN (Incharge)

30/12

31.12

Before the Maharashtra State Commission for Protection of Child Rights.

Enquiry, under section 13 (1) and 13 (2) of the Child Right Protection Act, 2005
and section 31 and 32 (2) of R.T.E Act, 2009.

Case No.196/2014.

Shri Prakash Ingawale ----- Complainant

V/s.

Smt. Thelma D'Silva, ----- Respondent
NMWS, Primary School

Background:-


The complainant, Shri Prakash Ingawale has approached the Commission, requesting to issue direction for getting admission of his daughter in the respondent's school. Complaint says that complainant did approach the Principal of the School and Inspector of the School, Nasik, but no response has been received by both the authorities. Failing to get response, this complaint is filed by the Complainant. The Commission took the cognizance, ordered to issue notices, against School and School Education Department. Principal, Mrs. Thelma D'silva has filed reply. Reply reveals that complainant is blackmailer and liar. Once he came to the School and requested for admission of his sister's daughter, who is disabled and informed that his sister would come later on. The school insisted to

call mother and when he was unable to call the mother then school directed not to give admission to child. Complainant has also organized agitation demanding from the office of Education Department to press School for getting admissions to four other applicants. The school has admitted those children. The Respondent has further admitted that since in Nasik, there is no facility of English Medium School, therefore, burden is coming on this school. The Law in this regard is very clear that no one can claim to get admission as per her/his choice and provision of providing education within the peripheries of 1.5. k.m from the residential places is duty of state. Therefore, this Commission cannot take cognizance. In view of above, this Commission is passing following order:-

“Education Department is being directed to consider the matter and provide schooling facility to the child, if she is not pursuing her education.”.



By order and seal of the Commission


(A.N. Tripathi)
I.F.S.
Secretary

31 DEC 2014

Maharashtra State Commission for Protection
of Child Rights.