



GOVERNMENT OF MAHARASHTRA

महाराष्ट्र शासन

MAHARASHTRA STATE COMMISSION FOR PROTECTION OF CHILD RIGHT

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क्र. बाहआ-2015/15-16/प्र.क्र. 54/

दि. 6/09/2016

बालहक्क संरक्षण अधिनियम 2005 व बालकांचा मोफत व सक्तीचा शिक्षण अधिनियम 2009 अंतर्गत आयोगासमोरील दि.2/09/ 2016 रोजीची सुनावणीचे कार्यवृत्त.

अ. क्र.	प्रकरण क्रमांक	विषय	उपस्थित पक्षकारांची नावे	आयोगाचे निष्कर्ष/आदेश
1	केस नं. 190/2012	दि. 7/8/2012 रोजी मुंबई मिरर या वृत्तपत्रात Three school deny admission to disabled boy	1. Bhushan Mahadik, Advocate, Campion School 3. Adv. Jehangir jeebhoy, Anglo Scotish Education society. 4. Shri. Anees Sheikh, Under Secretary Minority Dept, Mantralaya.	Heard parties. Adv. Mahadik appeared on behalf of Campion school, submitted that school does not discriminate any child due to disability. Directed to file written submission in this regard within seven days. Adv. Jehangir Jeebhoy appeared on behalf of Anglo Scotish Education Society, submitted written reply, cited issues raised in para 16 and 17 in the reply. Admitted that he is not making any comment on the recommendations of the Commission pertaining to the schooling of disable children. On the issue of schooling of disabled children he is in consonance with the view taken by Adv. Mahadik. Under Secretary of Minority department Mr. Shaikh submitted reply on the issue of terms and conditions applied by the department for issuing the certificate of Minority status. Directed to hand over copies to schools. Directed the learned advocate representing schools to file reply if they desire on the submission of Minority department within seven days. Final recommendations shall be made after receiving replies. Matter is closed for final recommendation.

	केस नं 109/ 2016	करूनही रायगड मिलीट्री स्कूल , बेहराम बाग न्यु लिक रोड , ओशिवरा , जोगेश्वरी पश्चिम यांनी प्रवेश दिला नाही म्हणुन पालक श्रीमती सरिता यादव, मोहमद शकिल जलील खान, श्रीमती शहनाझ रशिद बालोच यांनी शाळेच्या विरोधात तक्रार केली आहे.	1. राजिंदर कौर शिक्षण निरीक्षक 2. वैशाली शिंदे, शिक्षण विभाग	Respondent School did not appear. No written reply is received from the school. Contents of reply submitted by education department is indicating that education department took initiative to get N.O.C. cancelled. On account of non appearance and non submission filed by the school, despite of directions given by Commission as on 26/8/2016 thus closed matter for final recommendation.
3	केस नं. 113/ 2016 केस नं. 223/ 2016 केस नं. 87/ 2016 केस नं. 45/ 2016	RTE 25% ऑनलाईन प्रवेश प्रक्रिया 2014 अंतर्गत प्रवेश देण्याचे प्रस्तावित करूनही नलीनी देटे यांची सी.बी.एम.स्कूल विरोधात RTE 25% ऑनलाईन प्रवेश प्रक्रिया 2015 अंतर्गत प्रवेश देण्याचे प्रस्तावित करूनही जानकीदेवी पब्लिक हायस्कूल अंधेरी पश्चिम यांनी प्रवेश दिला नाही म्हणुन पालक परविन रसोल पटाण यांनी शाळेच्या विरोधात तक्रार केली आहे.	1. श्रीमती रजिता एल. बाले हेड मिस्ट्रेस शारदाश्रम विद्या मंदिर आणि वकील 2. Adv. Gauri Rahuvanshi on behalf of C.B.M. school. राजिंदर कौर शिक्षण निरीक्षक 3. वैशाली शिंदे, शिक्षण विभाग 4. श्रीमती मिरजकर, शिक्षण निरीक्षक.	Heard parties. Adv. Gauri Rahuvanshi on behalf of C.B.M. school sought time to file rejoinder on the contents of reply filed by Education department. Time granted. Directed representative of school education department to forward copies to the respective schools. The school education department filed combined reply, regarding the supply of books, uniforms etc by the school. Listed matter on 16/9/2016.
4	केस नं. 123/ 2016	अवेट ग्रेड पब्लिक स्कूल सावळी (दातुरा) बाल हक्क संरक्षण कायद्याचे उल्लंघन करीत असल्याबाबत श्री. गजेंद्र अ. वारके यांची तक्रार	Absent	As informed by the Parent of child by email that his matter is settled hence no need to conduct proceeding. Hence on the basis of submission of parent, matter is disposed off without any recommendation.
5	केस नं. 159/2016 केस नं. 160/2016 केस नं. 161/2016	Riyaz Ahmad, Shaikh Badsha, Ahmad Hasan Khan & Brijesh R. Chaturvedi complaint regarding denial of entitlements by school and demand of paying the money for same	1. Mrs. Smita Redkar, Clerk, Sadhana Vidyalaya 2. Riyaz Ahmed 3. Brijesh Chaturvedi. 4. Mrs. S.R. Khare, Supdt. 5. Mrs. Mirajkar, B.O. 6. Mrs. Alka Shinde, B.O.	Heard parties. Sadhana Vidyalaya filed reply especially on the issue of freeship scheme as prescribed for pre primary schooling. School education department, represented by Smt. Kaur, Dy. Education Inspector cited the provisions of rules enacted by the State Government, mentioning that under the rule schools are bound to provide free education to those children who falls under the category of economical weaker section provided that school run, pre primary section. Directed the representative of Sadhana Vidyalaya to file submission on this issue. Listed matter on 16/9/2016.

			1. Shri. Mehta 2. Advocate Ayushi on behalf of HVB Global Academy.	Heard the parties. Advocate representing school, submitted reply and handed over copy of reply to Complainant's husband Shri. Mehta. Directed the representative of complainant to file rejoinder on the reply of school. Matter listed on 16 th September, 2016.
7	केस नं. 179/2016	Shaista Shabir Pathan regarding denial of admission on basis of income certificate	1. राजिंदर कौर शिक्षण निरीक्षक 2. वैशाली शिंदे, शिक्षण विभाग	Petitioner was absent. Directed school education department to file report. The matter shall be decided on the basis of report received from education department. Hence closed for final recommendation.
8	केस नं. 177/2016	Mrs. Sana Shakir Qureshi complaint regarding denial admission on the account of demand of payment of full fee	1. Smt. Alka Shinde, B.O. 2. Shri. Anil chauhan, Clerk 3. Mrs. Sana Shakir Qureshi	Petitioner admitted that her daughter has got admission in the school therefore she has no grievance. On the basis of statement of petitioner matter is disposed off without any recommendation.
9	केस नं. 111/ 2016.17	संगीता सुरेश शर्मा यांनी अपंग शिष्यवृत्ती मिळण्यापासून विद्यार्थ्यांना वंचित ठेवल्याबाबत केलेली तक्रार	1. श्रीमती संगीता सुरेश शर्मा 2. श्री. राठोड, जिल्हा परिषद ठाणे	Heard Parties. Representative of Zila Parishad, Thane submitted reply mentioning that due to administrative reason and division of Thane district in two parts, the matter is unsettled and assured to settle the issue as mentioned in the complaint. As this matter is administrative in nature and related with district Palghar not Thane. Therefore matter is disposed off directing the concern authorities to settle the issue within three months. Matter is closed for final recommendation.
10	केस नं. 108/2016	निला बर्नार्ड सोएस यांनी सेवेन स्क्वायर अकादमी विरोधात केलेली तक्रार	1. Vijay Barathe, Extation officer, education, Vasai 2. Smt. Neela Soans, petitioner 3. Adv. Khandelwal	Complainant and her Advocate Mr. Khandelwal appeared before the Commission, placed certain issues, cited orders passed by Hon'ble High Court in w.p.No.25/2016, and orders passed in subsequent contemt, petitions filed by complainant when asked that since matter is disposed off by the Hon'ble Court then on what ground this matter had been brought before the Commission. Learned

				advocate placed the reason and requested to allow for filing additional petition under CRC Act. Requested time, request is admitted. On behalf of education department Shri. Barathe, extension officer appeared, stated that concerned matter does not fall under his jurisdiction. School was unrepresented. Listed matter on 16/9/2016.
10	केस नं. 149/2016	श्री. संतोष रामआसरे यादव यांनी मुलाचे अपहरण झाल्याबाबत केलेली तक्रार	Shri. Liladhar Patil, A.P.I.	Mr. Patil, A.P.I. appeared and stated that this is matter of family dispute between husband and wife. Child is with the mother. Matter is going on in family court. Therefore on the basis of statement of police, matter is closed for final recommendation.
11	केस नं. 244/2016	Rakesh Kumar request for intervention/action for resuming of my son's school with immediate effect.	Shri. Rakesh Kumar, complainant	Complainant appeared, filed sur rejoinder on the rejoinder filed by Respondent. Respondent did not appear. Directed complainant to forward copy to the Respondent. Listed matter on 16/9/2016.
12	केस नं. 98 / 2016-17	अदनान भिवंडीवाला यांची तक्रार	1. Shri. Adnana Bhivandiwala, complainant 2. Smt. Fadila J., respondent	Heard the parties. Respondent sought time to file reply, time granted. Complainant raised certain issues citing statement made by child before the police and requested commission to fix next date in the month of November. Admitted request. Listed the matter in November, 2016.

(अ.ना.त्रिपाठी)
सचिव
बाल हक्क संरक्षण आयोग

(संजय कुमार)
प्रभारी अध्यक्ष
बाल हक्क संरक्षण आयोग