



सत्यमेव जयते

न्यायालय मुख्य आयुक्त निःशक्तजन
Court of Chief Commissioner for Persons with Disabilities
सामाजिक न्याय एवं अधिकारिता मंत्रालय
Ministry of Social Justice & Empowerment
निःशक्तता कार्य विभाग / Department of Disability Affairs

Case No.27/1035/13-14

Dated:- 24.03.2014

In the matter of:

Shri K. Ganesaramu,
3/51, Crash Qtr., NCERT Campus,
Sri Aurobindo Marg,
New Delhi-110016.

..... Complainant

Versus

National handicapped Finance and Development
Corporation,
Through – Chairman & Managing Director,
Red Cross Bhawan, Sector – 12,
Faridabad-121007.

.... Respondent No.2

Date of hearing : 06.03.2014

Present :

1. Shri K. Ganesaramu, Complainant.
2. S/Shri Ravi Prakash Dubey, Asstt. Manager(P&A), Rakesh Agrawal, Asstt. Manager(Raj.) on behalf of Respondent No. 1.

O R D E R

The above named complainant, a person with 78% multiple disability filed a complaint dated 26.03.2013 under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, hereinafter referred to as the Act regarding grant of scholarship & educational loan for doing Ph.D. in Singhania University, Rajasthan.

2. The complainant submitted that he had applied for scholarship and educational loan on 07.11.2012 through NHFDC for doing Ph.D from Singhania University. NHFDC further referred the case to the Tamil Nadu State Apex Co-operative Bank Ltd. (TNSC Bank), Chennai. But nothing was done by any of the parties and he apprehended that his education and career would be spoiled. He claimed a compensation of Rs.10 Lakh each from all the three parties, namely, NHFDC, Faridabad, TNSC Ban, Chennai and the Registrar, Singhania University, Jhunjhunu, Rajasthan for non-implementation, negligence and willful delay in performing duty towards the welfare of persons with disabilities.

3. The matter was taken up under Section 59 of the Act with the Chairman & Managing Director, National Handicapped Finance and Development Corporation, Faridabad vide this Court's letter dated 23.09.2013.

.....2/-

4. Chief Manager (P&A), National Handicapped Finance and Development Corporation, Faridabad vide letter No.NHF/2/22/15/SCH/TF/2011/4027 dated 11.10.2013 submitted that the complainant was not eligible for Scholarship Scheme (Trust Fund) for the year 2012-13. As per the provision 5.1(i) of the Scholarship Scheme (Trust Fund) for the differently-abled students, the financial assistance will be given to pursue degree and/or post graduate level technical and professional courses from a recognized institution. The complainant is pursuing Ph. D, which is neither degree nor post graduate level technical and professional course, so he is not eligible for Scholarship Scheme (Trust Fund) for the year 2012-13. The complainant had been informed by their office vide e-mail dated 24.12.2012.

5. A copy of reply dated 11.10.2013 received from the respondent was forwarded to the complainant vide this Court's letter dated 08.11.2013 for his comments/rejoinder.

6. The complainant vide his rejoinder dated 28.11.2013 submitted that there was no communication from Tamil Nadu State Apex Corporate Bank who is the SCA of NHFDC despite several inquiries made by the complainant regarding education loan. He requested that scholarship and educational loan may be arranged for all UG/PG and Ph.D education so that the career/self-employment of persons with disabilities is ensured. The following authorities may be advised to expedite the cases of scholarship and educational loan for his Ph.D., which is pending since 2010 so that he could meet the high cost of Ph.D in Singhanian University:-

- (a) CMD, NHFDC.
- (b) Registrar, Singhanian University, Jhunjhunu (Rasthan).
- (c) SDM Institute, Katwaria Sarai, New Delhi.
- (d) TNSC Bank, Netaji Subhash Chandra Bose Road, Chennai.
- (e) University Grants Commission, New Delhi.

7. Upon considering the reply dated 11.10.2013 of the respondent and the rejoinder dated 28.11.2013 of the complainant, the case was scheduled for hearing on 06.03.2014.

8. During the hearing, the parties reiterated their written submissions. The complainant was informed that he could not be given the education loan from Tamil Nadu State Apex Co-operative Bank as the said Cooperative Bank has informed vide its letter dated 11.02.2014 that there is no provision in its Bye-Laws for issue of education loan. The representative of the respondent, therefore, advised the complainant to approach any Branch of Punjab National Bank, IDBI Bank or Andhra Bank for education loan. NHFDC has an agreement with those Banks to provide education loan to students with disabilities at 4% per annum rate of interest. The complainant will, however, have to apply for the said loan and fulfill the eligibility conditions of the concerned Bank.

9. The representative of the respondent further clarified that Trust Fund is not applicable for Ph.D Course. The complainant can avail scholarship from the National Scholarship Fund during the year 2014-15. For this, the complainant will be required to apply for the scholarship during the Academic Year 2014-15 from 1st July, 2014 to 31st August, 2014.

10. In the light of the above, no direction can be issued to respondent and the matter stands disposed off accordingly.

Sd/-
(P.K. Pincha)
Chief Commissioner
for Persons with Disabilities