

15 -ാം കേരള നിയമസഭ

16 -ാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 1409

03-02-2026 - ൽ മറുപടിയ്ക്ക്

സ്പെഷ്യൽ എജ്യുക്കേറ്റർമാരുടെ നിയമനം

ചോദ്യം		ഉത്തരം	
ശ്രീമതി കെ. കെ. രമ		ശ്രീ വി ശിവൻകുട്ടി (പൊതുവിദ്യാഭ്യാസ-തൊഴിൽ വകുപ്പ് മന്ത്രി)	
(എ)	പൊതുവിദ്യാലയങ്ങളിൽ സ്പെഷ്യൽ എജ്യുക്കേറ്റർമാരെ നിയമിക്കണമെന്ന് 2025 മാർച്ച് 7 ന് സുപ്രീം കോടതി ഉത്തരവായിട്ടുണ്ടോ; വിധിയിലെ വിശദാംശം എന്തെല്ലാമാണെന്ന് അറിയിക്കുമോ;	(എ)	ഉണ്ട്. 07.03.2025-ലെ വിധിന്യായത്തിന്റെ പകർപ്പ് അനുബന്ധമായി ചേർത്തിരിക്കുന്നു
(ബി)	പ്രസ്തുത വിധി നടപ്പാക്കുന്നതിനായി സുപ്രീം കോടതി നിശ്ചയിച്ചിരിക്കുന്ന സമയപരിധി എന്നുവരെയാണ്; സമയപരിധിക്കുള്ളിൽ സുപ്രീം കോടതി വിധി നടപ്പാക്കുന്നതിനായി സ്വീകരിച്ചിട്ടുള്ള നടപടികൾ എന്തെല്ലാമാണെന്ന് അറിയിക്കുമോ;	(ബി)	07.03.2025-ലെ വിധിന്യായം നടപ്പാക്കുന്നതിനായി 12 ആഴ്ചയാണ് സമയപരിധി നിശ്ചയിച്ചിട്ടുണ്ടായിരുന്നത്. ടി വിധിന്യായത്തിന്റെ അടിസ്ഥാനത്തിൽ 20.05.2025 തീയതിയിലെ സ.ഉ. (സാധാ) നം.3403/2025/പൊ.വി.വ. പ്രകാരം സ്റ്റേറ്റ് ഡിസെബിലിറ്റി കമ്മീഷണർ, പൊതുവിദ്യാഭ്യാസ പ്രിൻസിപ്പൽ സെക്രട്ടറി, റീഹാബിലിറ്റേഷൻ കൗൺസിൽ ഓഫ് ഇന്ത്യയുടെ പ്രതിനിധി, പൊതുവിദ്യാഭ്യാസ ഡയറക്ടർ, സർവ്വ ശിക്ഷാ കേരള പ്രോജക്ട് ഡയറക്ടർ, സ്റ്റേറ്റ് കൗൺസിൽ ഓഫ് എഡ്യൂക്കേഷണൽ റിസർച്ച് & ട്രെയിനിംഗ് ഡയറക്ടർ എന്നിവരെ ഉൾപ്പെടുത്തി ഒരു സ്ക്രീനിംഗ് കമ്മിറ്റി രൂപീകരിച്ച് ഉത്തരവ് പുറപ്പെടുവിച്ചിട്ടുണ്ട്. പൊതുവിദ്യാഭ്യാസ ഡയറക്ടർ ലഭ്യമാക്കിയ പ്രൊപ്പോസലിന്റെ അടിസ്ഥാനത്തിൽ സംസ്ഥാനത്തെ സ്കൂളുകളിൽ സ്പെഷ്യൽ എഡ്യൂക്കേറ്റർമാരെ നിയമിക്കുന്ന വിഷയം സർക്കാർ പരിശോധിച്ച് വരുന്നു.
(സി)	സംസ്ഥാനത്ത് ആകെ എത്ര സ്പെഷ്യൽ എജ്യുക്കേറ്റർമാരുടെ തസ്തികകളാണ് നിലവിലുള്ളതെന്ന് സ്ഥിരം, താൽക്കാലികം എന്നിങ്ങനെ തരം തിരിച്ച് കണക്ക് ലഭ്യമാക്കുമോ;	(സി)	സ്പെഷ്യൽ എഡ്യൂക്കേറ്റർമാരുടെ സ്ഥിരം തസ്തികകൾ നിലവിലില്ല. എസ്.എസ്.കെ.-യുടെ കീഴിൽ കരാർ അടിസ്ഥാനത്തിൽ 2,707 സ്പെഷ്യൽ എഡ്യൂക്കേറ്റർമാർ നിലവിൽ വിവിധ സ്കൂളുകളിലായി സേവനമനുഷ്ഠിച്ചു വരുന്നു.
(ഡി)	പൊതുവിദ്യാലയത്തിൽ പഠിക്കുന്ന ഭിന്നശേഷി കുട്ടികൾക്ക് ഗുണമേന്മയുള്ള വിദ്യാഭ്യാസം ഉറപ്പു വരുത്തുന്നതിനായി സുപ്രീം കോടതി ഉത്തരവിന്റെ	(ഡി)	സുപ്രീം കോടതി ഉത്തരവിന്റെ അടിസ്ഥാനത്തിൽ പൊതുവിദ്യാലയങ്ങളിൽ സ്പെഷ്യൽ എഡ്യൂക്കേറ്റർമാരെ നിയമിക്കുന്ന വിഷയം സർക്കാർ പരിശോധിച്ച് വരുന്നു.

അടിസ്ഥാനത്തിൽ അടിയന്തര നടപടികൾ സ്വീകരിക്കുന്നതിന് തയ്യാറാകുമോ?		
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സെക്ഷൻ ഓഫീസർ

ITEM NO.78

COURT NO.12

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 132/2016

RAJNEESH KUMAR PANDEY & ORS..

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

MR. RISHI MALHOTRA (AMICUS CURIAE]

- IA No. 50471/2021 - APPLICATION FOR PERMISSION
- IA No. 37238/2021 - APPLICATION FOR PERMISSION
- IA No. 249910/2023 - APPLICATION FOR PERMISSION
- IA No. 123252/2020 - APPLICATION FOR PERMISSION
- IA No. 74824/2021 - APPLICATION FOR PERMISSION
- IA No. 190123/2019 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 116366/2022 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 113310/2022 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 23736/2019 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 82136/2024 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 97659/2018 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 174218/2018 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 146547/2019 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 146274/2019 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 16355/2020 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 115912/2018 - CLARIFICATION/DIRECTION
- IA No. 21055/2018 - CLARIFICATION/DIRECTION
- IA No. 21822/2024 - CLARIFICATION/DIRECTION
- IA No. 97663/2018 - CLARIFICATION/DIRECTION
- IA No. 141285/2023 - CLARIFICATION/DIRECTION
- IA No. 98958/2022 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 78979/2022 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 22022/2024 - EXEMPTION FROM FILING O.T.
- IA No. 173591/2019 - EXEMPTION FROM FILING O.T.
- IA No. 128163/2017 - EXEMPTION FROM FILING O.T.
- IA No. 2/2016 - EXEMPTION FROM FILING O.T.
- IA No. 16358/2020 - EXEMPTION FROM FILING O.T.
- IA No. 9/2017 - EXEMPTION FROM FILING O.T.
- IA No. 30082/2018 - GRANT OF INTERIM RELIEF
- IA No. 74820/2021 - GRANT OF INTERIM RELIEF
- IA No. 86670/2016 - IA FOR IMPLEADMENT
- IA No. 27854/2017 - IMPLEADMENT, DIRECTION, OT
- IA No. 98109/2018 - INTERVENTION APPLICATION
- IA No. 126356/2017 - INTERVENTION APPLICATION
- IA No. 166257/2023 - INTERVENTION APPLICATION

IA No. 97652/2018 - INTERVENTION APPLICATION
 IA No. 141284/2023 - INTERVENTION APPLICATION
 IA No. 146263/2019 - INTERVENTION/IMPLEADMENT
 IA No. 74381/2021 - INTERVENTION/IMPLEADMENT
 IA No. 245958/2024 - INTERVENTION/IMPLEADMENT
 IA No. 107257/2018 - INTERVENTION/IMPLEADMENT
 IA No. 98708/2019 - INTERVENTION/IMPLEADMENT
 IA No. 190121/2019 - INTERVENTION/IMPLEADMENT
 IA No. 90592/2024 - INTERVENTION/IMPLEADMENT
 IA No. 21051/2018 - INTERVENTION/IMPLEADMENT
 IA No. 89715/2024 - INTERVENTION/IMPLEADMENT
 IA No. 12758/2019 - INTERVENTION/IMPLEADMENT
 IA No. 173590/2019 - INTERVENTION/IMPLEADMENT
 IA No. 97018/2022 - INTERVENTION/IMPLEADMENT
 IA No. 82130/2024 - INTERVENTION/IMPLEADMENT
 IA No. 174217/2018 - INTERVENTION/IMPLEADMENT
 IA No. 146544/2019 - INTERVENTION/IMPLEADMENT
 IA No. 28942/2024 - INTERVENTION/IMPLEADMENT
 IA No. 97651/2018 - INTERVENTION/IMPLEADMENT
 IA No. 30187/2018 - INTERVENTION/IMPLEADMENT
 IA No. 129598/2018 - INTERVENTION/IMPLEADMENT
 IA No. 146273/2019 - INTERVENTION/IMPLEADMENT
 IA No. 16351/2020 - INTERVENTION/IMPLEADMENT
 IA No. 74815/2021 - INTERVENTION/IMPLEADMENT
 IA No. 128768/2022 - INTERVENTION/IMPLEADMENT
 IA No. 22058/2024 - INTERVENTION/IMPLEADMENT
 IA No. 246688/2024 - INTERVENTION/IMPLEADMENT
 IA No. 6824/2021 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 131315/2018 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 6/2017 - PERMISSION TO FILE ANNEXURES
 IA No. 3/2017 - PERMISSION TO FILE ANNEXURES
 IA No. 28659/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION
 IA No. 1/2016 - PERMISSION TO FILE LENGTHY LIST OF DATES
 IA No. 3926/2024 - RECALLING THE COURTS ORDER

WITH

CONMT.PET.(C) No. 591/2022 in W.P.(C) No. 132/2016 (X)
 FOR EXEMPTION FROM FILING O.T. ON IA 136828/2022
 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
 156466/2022
 FOR EXEMPTION FROM FILING O.T. ON IA 157707/2022
 FOR impleading party ON IA 5722/2023
 FOR INTERVENTION/IMPLEADMENT ON IA 5722/2023
 FOR EXEMPTION FROM FILING O.T. ON IA 5723/2023
 FOR impleading party ON IA 31726/2023
 FOR INTERVENTION/IMPLEADMENT ON IA 31726/2023

FOR impleading party ON IA 156274/2024
 FOR INTERVENTION/IMPLEADMENT ON IA 156274/2024
 FOR EXEMPTION FROM FILING O.T. ON IA 156275/2024
 IA No. 5723/2023 - EXEMPTION FROM FILING O.T.
 IA No. 157707/2022 - EXEMPTION FROM FILING O.T.
 IA No. 136828/2022 - EXEMPTION FROM FILING O.T.
 IA No. 156275/2024 - EXEMPTION FROM FILING O.T.
 IA No. 156274/2024 - INTERVENTION/IMPLEADMENT
 IA No. 31726/2023 - INTERVENTION/IMPLEADMENT
 IA No. 5722/2023 - INTERVENTION/IMPLEADMENT
 IA No. 156466/2022 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES

CONMT.PET.(C) No. 856/2023 in W.P.(C) No. 132/2016 (X)
 (IA No. 62867/2023 - EXEMPTION FROM FILING O.T.)

Diary No(s). 10073/2024 (X)8
 (IA No. 75509/2024 - CONDONATION OF DELAY IN FILING & IA No.
 55972/2024 - EXEMPTION FROM FILING O.T.)

Diary No(s). 27076/2024 (X)

Diary No(s). 40533/2024 (X)
 (IA No. 201178/2024 - CONDONATION OF DELAY IN FILING)

Diary No(s). 46243/2024 (X)

Diary No(s). 51158/2024 (X)
 (IA No. 252704/2024 - CONDONATION OF DELAY IN FILING)

W.P.(C) No. 876/2017 (X)
 (IA No. 29329/2018 - EXEMPTION FROM FILING O.T., IA No. 7557/2019 -
 INTERVENTION/IMPLEADMENT & IA No. 29969/2018 -
 INTERVENTION/IMPLEADMENT)

W.P.(C) No. 1099/2023 (X)
 (FOR ADMISSION)

Date : 07-03-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA
 HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) Mr. Rishi Malhotra, Sr.Adv./AC

Mr. Dinesh Kumar Chawla, Adv.
 Mr. Koushik Gole, Adv.
 Mr. Aditya Ranjan, AOR

Mr. Gauranga Kumar Das, Adv.
 Mr. Sukesh Ghosh, Adv.
 Mr. P.c.das, Adv.
 Mr. Rajesh Kumar Singh, Adv.
 Mr. Ashis Kumar Chowdhury, Adv.
 Mr. Rochak Kharbanda, Adv.
 Dr. Raj Kumar Jain, Adv.
 Dr. O.p.kharbanda, Adv.
 Mr. Rajat Kharbanda, Adv.
 Mr. Sandeep Pandhi, Adv.
 Mr. Chand Qureshi, AOR

Mr. P S Patwalia, Sr. Adv.
 Mr. Shoeb Alam, Sr. Adv.
 Mr. Satyajeet Kumar, AOR
 Mr. Prashant Shukla, Adv.
 Mr. Gunjeet Singh, Adv.
 Mr. Suyash Srivastava, Adv.
 Mr. Abhishek Tiwari, Adv.
 Mr. Goutam Prasad, Adv.
 Mr. Abhishek Kr.Tiwari, Adv.
 Shreya Mishra, Adv.
 Nishendra Kumar Pandey, Adv.
 Manish Panday, Adv.

For Respondent(s) : Mr. Anand Grover, Sr. Adv.
 Mr. Kunal Mimani, AOR
 Mr. Akshay Luthra, Adv.

Mr. K M Nataraj, ASG

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 Ms. Yashmita Pandey, Adv.

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 Ms. Aishwarya Bhati, A.S.G.
 Mr. R.bala, Adv.
 Mr. Akshay Amritanshu, Adv.
 Ms. Vimla Sinha, Adv.
 Ms. Preeti Rani, Adv.
 Ms. Rukhmini Bobde, Adv.
 Mr. Raman Yadav, Adv.

Ms. Astha Sharma, AOR

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 Mr. Sanjay Kumar Tyagi, AOR
 Mr. Sandeep Singh, Adv.

Mr. Pawan, Adv.

Mr. Vikrant Narayan Vasudeva, AOR

Mr. Rohit Lochav, Adv.

Mr. Sarthak Chiller, Adv.

Ms. K. Enatoli Sema, AOR

Mr. Amit Kumar Singh, Adv.

Ms. Chubalemla Chang, Adv.

Mr. Prang Newmai, Adv.

Mr. Nishant Patil, A.A.G.

Mr. D. L. Chidananda, AOR

Mr. Kaustubh Shukla, AOR

Mr. Shuvodeep Roy, AOR

Mr. Pradhuman Gohil, Adv.

Mrs. Taruna Singh Gohil, AOR

Mr. Alapati Sahithya Krishna, Adv.

Ms. Hetvi Patel, Adv.

Mr. Rushabh N. Kapadia, Adv.

Ms. Taniya Bansal, Adv.

Mr. Samar Vijay Singh, AOR

Mr. Fateh Singh, Adv.

Mr. Aman Dev Sharma, Adv.

Ms. Sabarni Som, Adv.

Mr. Prakhar Garg, Adv.

Mr. Vishal Prasad, Adv.

Dr. Sukhdev Sharma, Adv.

Mr. Vaibhav Vikram Singh, Adv.

Mr. Anand Shankar, AOR

Mr. Ravindra S. Garia, AOR

Mr. Guntur Pramod Kumar, AOR

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Mr. Dhruv Yadav, Adv.

Mr. Basava Prabhu S Patil, AG, State of Sikkim

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Ms. Tara Elizabeth Kurien, Adv.
Mr. D.p.singh, Adv.

Mr. Raghenth Basant, Sr. Adv.
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Ms. Hima Bhardwaj, Adv.

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Ms. Poonam Dolo, Adv.

Mr. Amit Sharma, A.A.G.
Mr. Sarthak Raizada (ga), Adv.
Mr. Pashupathi Nath Razdan, AOR
Mr. Ajay Sharma, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Manoj C. Mishra, AOR
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Mr. P.v. Dinesh, Sr. Adv.
Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.
Mr. Santhosh K, Adv.
Ms. Anna Oommen, Adv.
Ms. Syed Nazarat Fatima, Adv.

Mr. Akshat Kumar, AOR

Mr. Abhimanyu Tewari, AOR

Ms. Eliza Bar, Adv.

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 Sandeep Singh D., Adv.
 Sanjiv Kumar Jain, Adv.
 Saurabh Kumar Solanki, Adv.
 Sanjeev Kumar, Adv.
 Ekta Kalia Arora, Adv.
 Mr. D.kumanan, AOR

Mr. V Chidambaresh, Sr. Adv.
 Mr. Biju P Raman, AOR
 Mr. K P Rajagopal, Adv.
 Ms. Usha Nandini V, Adv.
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 Mr. Rahul Kumar, Adv.
 Ms. Lalita Gupta, Adv.
 Ms. Seema Patnaha, Adv.
 Mr. Khagesh Kumar, Adv.
 Mr. Baldeo Sharan, Adv.
 Mr. Rajiv Agnihotri, Adv.

Ms. Aishwarya Bhati, A.S.G.
 Mrs. Mrinal Elkar Mazumdar, Adv.
 Mr. Mukesh Kumar Verma, Adv.
 Mr. Neeraj Kumar Sharma, Adv.
 Indira Bhakar, Adv.
 Ms. Kanu Agrawal, Adv.
 Mr. Varun Chugh, Adv.
 Mr. Bhuvan Kapoor, Adv.
 Mr. Krishna Kant Dubey, Adv.
 Mr. Harish Pandey, Adv.
 Mr. Shashwat Parihar, Adv.
 Mr. Piyush Beriwal, Adv.
 Mr. Mukul Singh, Adv.
 Mr. Shreekant Neelappa Terdal, AOR
 Ms. Diksha Verma, Adv.
 Mr. Mukesh Verma, Adv.
 Mr. Deepak Bhardwaj, Adv.

Mr. Omkar Deshpande, Adv.
 Mr. Siddharth Dharmadhikari, Adv.
 Mr. Aaditya Aniruddha Pande, AOR

Ms. Ranjeeta Rohatgi, AOR
Mr. Piyush Dwivedi, AOR

Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.
Ms. Neha Singh, Adv.

Mr. Anando Mukherjee, AOR
Mr. Shwetank Singh, Adv.

Mr. S.. Udaya Kumar Sagar, AOR
Mr. Ravindra Sadanand Chingale, AOR
Ms. Astha Sharma, AOR
Mr. Mukesh Kumar, AOR

Mr. Akshay Amritanshu, AOR
Ms. Pragya Upadhyay, Adv.
Ms. Drishti Saraf, Adv.

Mr. D. Mahesh Babu, AOR

B. K. Mishra, Sr. Adv.
Hitesh Kumar Sharma, Adv.
Amit Kumar Chawla, Adv.
Akhileshwar Jha, Adv.
Niharika Dewivedi, Adv.
Binay Kumar, Adv.
Ishank Ranjan, Adv.
Mr. Ajay Pal, AOR

Mr. Rajiv Shankar Dwivedi, Adv.
Mr. Anirudh Sharma, Adv.
Ms. Tulika Mukherjee, AOR
Mr. Beenu Sharma, Adv.
Mr. Venkat Narayan, Adv.

M/S. Venkat Palwai Law Associates, AOR

Mr. Karan Sharma, AOR
Mr. Mohit Siwach, Adv.
Mr. Abhishek Bhudhiraja, Adv.
Ishika Jain, Adv.
Harshit Kumar, Adv.

Mr. Ashutosh Kumar Sharma, AOR
Mr. Ajay Kumar Bahuguna, Adv.

Ms. Deepanwita Priyanka, AOR

Mr. Abhay Anil Anturkar, Adv.
 Mr. Dhruv T., Adv.
 Mr. Aniruddha A., Adv.
 Ms. Surbhi Kapoor, AOR

Mr. Manish Kumar, AOR
 Mr. Divyansh Mishra, Adv.

Mr. Mukesh Kumar Maroria, AOR

Mr. V. Chitambaresh, Sr. Adv.
 Mrs. Dhanya P Ashokan, Adv.
 Mr. Lakshmeesh S. Kamath, AOR
 Mrs. Samriti Ahuja, Adv.
 Ms. Aditi Prakash, Adv.

Mr. Avijit Mani Tripathi, AOR
 Mr. T K Nayak, Adv.
 Mr. Upendra Mishra, Adv.
 Mr. P S Negi, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

In spite of the judgment passed by this Court on 28.10.2021 and the directions contained in paragraph 57 of the judgment [paragraph 72 of the reported judgment (2021) 17 SCC 1] and then subsequently the orders dated 21.07.2022 and 12.03.2024 passed by this Court, none of the States or Union Territories ('UTs') have made any appointments on the sanctioned posts for Special Teachers. In fact, a large majority of the States have not even identified the sanctioned posts required in the State, in spite of the fact that now we have the figures in each of the States having children with special needs.

The figure of children with special needs in each of the States and UTs, which we presently have before this Court (which

may at present vary but only slightly) is as follows:-

S.No.	State	Figures
1	Andhra Pradesh	82227
2	Arunchal Pradesh	3038
3	Assam	55908
4	Bihar	85344
5	Chandigarh UT	3336
6	Chhattisgarh	73765
7	Delhi	32398
8	Goa	3059
9	Gujarat	36710
10	Haryana	21111
11	Himachal Pradesh	8858
12	Jharkhand	45598
13	Karnataka	43719
14	Kerala	123831
15	Madhya Pradesh	120764
15	Maharashtra	Information not provided
17	Manipur	4078
18	Meghalaya	3741
19	Mizoram	3741
20	Nagaland	4084
21	Odisha	86689
22	Punjab	47979
23	Rajasthan	71929
24	Sikkim	1125
25	Tamil Nadu	100460
26	Telangana	32794
27	Tripura	3715
28	Uttarakhand	4575
29	Uttar Pradesh	301718
30	West Bengal	135796
31	A&N Islands	716
32	Dadra Nagar Haveli and Daman	765
	Diu	
33	J&K	19035
34	Ladakh	730
35	Lakshadweep	134
36	Puducherry	Information not provided

In the judgment dated 28.10.2021, it was left to the Central Government to come out with a teacher-pupil ratio in such schools with special children and the ratio which we have been given by the

Central Government is 1:10 for a primary school and 1:15 for middle and secondary schools respectively. Once we have the teacher-pupil ratio with us and also the figures as to the number of children with special needs in each of the States and UTs, by this time, each of the States and UTs should have at least identified the number of sanctioned posts. Under these circumstances, the following orders are being passed today:

1. Each States and UTs shall come out with notifications with the number of posts that they have sanctioned for teachers who have to impart education to children with special needs.
2. After the posts have been sanctioned and notified, which shall be done positively within a period of three weeks from today i.e. on or before 28.03.2025, these posts need to be advertised at least in two newspapers having wide circulation in the respective States as well as on the website of the Department of Education and also on the official Government website of each of the States.
3. Let the selection and appointment be made of qualified/competent/eligible teachers only. Further, the requirement of RCI¹ qualification certificate also needs to be taken into account for appointment to the post as directed by this Court in its judgment dated

¹ Rehabilitation Council of India

28.10.2021, as a candidate not having RCI Certificate shall be ineligible.

Meanwhile, we have been informed that in many of the States and Union Territories, adhoc teachers on contractual basis are presently imparting education and taking classes of children with special needs. We have also been informed that in some of the States, these teachers have been continuing for the last 20 years, approximately. For these reasons, the States shall immediately constitute a Screening Committee consisting of the following:

1. State Commissioner for Persons with Disabilities (for short 'Disability Commissioner') appointed under Section 79 of Rights of Persons with Disabilities ('RPWD') Act, 2016.
2. Secretary, Education of the concerned education department;
3. A nominee of the RCI who will be a competent person having knowledge in the prescribed area.

This shall be the three-member committee for each of the States and UTs.

We make it very clear that in case there is no disability commissioner available in any State, in that case only he/she shall be substituted by the Legal Representative (LR) or the law Secretary of the State concerned.

The Screening Committee shall examine the case of each of the candidates who have been working on contract/daily wage basis to teach these children and those teachers who have been found to be competent/eligible and qualified to teach, shall be given the pay scale of special teacher. The past experience of these teachers shall also be kept in mind. However, the mandatory requirement for each of the candidates would be RCI qualification.

Further, in case of a person who was already working and teaching for the last many years, the Screening Committee shall also be authorized consider relaxation of the age limit in appropriate cases.

Let all of this be completed within a period of twelve weeks from today which will include the three weeks for the sanctioned posts which have to be identified. We make it absolutely clear that the benefits of pay scale will only be prospective and not retrospective i.e. from the date of their such appointment after selection. They will be appointed against the sanctioned posts and shall be given the pay-scale which is to be given on that post only after screening.

It is made clear that those State where posts have already been sanctioned should immediately start the selection process.

We also make it clear that in some of the States such as Sikkim, Arunachal Pradesh, Nagaland and Manipur which are represented today through their respective counsel(s) before this Court and have stated that there have been some logistical problems

for the appointment of trained teachers in their State too. All the same, they shall initiate the exercise, which shall be subject to the availability of teachers with qualifications as indicated above.

List on 15.07.2025.

(NIRMALA NEGI)
ASSTT.REGISTRAR-cum-PS

(RENU BALA GAMBHIR)
ASSISTANT REGISTRAR