

**Sri Uma Charan Mallick**  
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ODISHA LEGISLATIVE ASSEMBLY



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To

**Shri Nityananda Gond**  
Hon'ble Minister  
School and Mass Education Department, Govt. of Odisha

**Sub:** Recommendation for the appointment of permanent special educator to educate differently abled students in general schools.

**Ref:**

- Right of children to Free and Compulsory Education Act 2009
- Right of children to Free and Compulsory Education Amendment Act 2022
- Right of person with Disabilities Act 2016
- Judgement of Hon'ble Supreme court of India in WP(C) No 132/2016, 28/10/2021

Dear Sir,

With sincere regards, I would like to put forth before you that Odisha Special Educator Federation for Divyang (OSEFD), met me and appealed for appointment of permanent special educator in the general schools.

According to UDISE 2021-2022 Data is 1,46,364 Nos of Children with Disabilities are studying in general Govt schools but Special Educators have not been appointed for them. Due to this Dropout of Children with Disabilities is increasing rapidly. In the question answer in this current Odisha Legislative Assembly the number of Children with Disabilities is 82,671 (newspaper clip attached).

The Hon'ble Supreme Court of India has pursued a judgement on dated 28/10/2021 vide W.P(Civil) 132 of 2016 (Rajneesh Ku Pandey vs. Union of India) regarding recruitment of Special Educator in Regular basis to improve standard of education of Children with Special needs in General Schools.

Again, on dated 21/07/2022 the Hon'ble Supreme Court of India has accepted separate norms for special educators, who alone can impart education and training to children with special needs in general schools, as recommended by Rehabilitation Council of India (RCI). The recommended pupil-teacher (Special Educator) ratio is 10:1 for the primary level and 15:1 for upper primary, secondary level (Copy attached).

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According to under section 3,8(c) ,9(c) of the Right of children to Free and Compulsory Education Act (RTE) 2009 and under section 19,25 (**Norms and Standards for a School**) of the Right of children to Free and Compulsory Education Amendment Act 2022 it is Mandatory for **One School One (Minimum) Special Educator Norms remains intact** for Children with Disabilities

According to sections 2(m),17(c),17(d) of the Right of person with Disabilities Act 2016 (RPwD), it is Mandatory for appointment of a Special Educator for Children with Disabilities.


On the other hand, about 7000 candidates having Diploma in Special Education, B.Ed. in Special Education & M.Ed. in Special Education and registered under the Rehabilitation Council of India (RCI) Act 1992 are available in state to cater to the need of Special Educator elementary & secondary Schools.

However, School and Mass education dept, Odisha in its affidavit in the Hon'ble Supreme court of India has mentioned that the state needs 6,573 special educator posts in general schools. (copy attached)

Therefore, I request you to consider the matter and take appropriate action for posting of the qualified and trained eligible person as Special Educator in the general primary & secondary schools of Odisha.

With best wishes.

Yours Sincerely

  
13/9/24

Member Of Legislative Assembly  
Phulbani-84(ST)