



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. 13784/1011/2023/185734

Dated: 02/08/2024

**Case No. 13784/1011/2023**

**In the matter of—**

Shri Sudhir Pandey,  
R/o RZ-23A, Opposite Jain Mandir,  
Gali No.2, Main Sagarpur, |  
South West Delhi,  
Delhi - 110046  
Email: [sudhirmarx97@gmail.com](mailto:sudhirmarx97@gmail.com)

**... Complainant**

**Versus**

(1) The Chairman & Managing Director,  
Life Insurance Corporation of India,  
Central Office, 'Yogakshema',  
Jeevan Bima Marg, Nariman Point,  
Mumbai-400021,  
Email: [co\\_complaints@licindia.com](mailto:co_complaints@licindia.com)  
Contact No.022-22811049

**... Respondent No. 1**

(2) The Secretary,  
Department of Financial Services,  
Ministry of Finance,  
Room No. 6A, 3<sup>rd</sup> Floor,  
Jeevan Deep Bhawan, Sansad Marg,  
New Delhi – 110001  
Email: [secy-fs@nic.in](mailto:secy-fs@nic.in); [sct@nic.in](mailto:sct@nic.in)

**... Respondent No. 2**

**Hearing (II):**

A second hearing was conducted on **30.07.2024** in hybrid mode (offline/online through video conferencing). The following parties/representatives were present during the hearing:



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. 13784/1011/2023/185734

Dated: 02/08/2024

Sl. No.	Name of the parties/ Representatives	Mode of Presence
<b>From Complainant:</b>		
1.	Shri Sudhir Pandey, Complainant	Online
<b>From Respondent No. 1:</b>		
1.	Mr. A. Chatterjee, Chief Marketing LIC of India	Online
2.	Ms Anjali Kulkarni, Assistant Secretary, Marketing Department, LIC of India	Online
3.	Ms. Ankita Joshi, Administrative Officer LIC of India	Online
<b>From Respondent No. 2:</b>		
1.	Mr. Arun Kumar, Under Secretary (Welfare)	Online

**RECORD OF PROCEEDINGS**

At the very outset of the hearing, the Hon'ble Chief Commissioner for Persons with Disabilities [in short "CCPD"] expressed his dissatisfaction with the reply filed by Respondent No. 1, LIC of India, as the matter involved in this case was about a substantial number of vacancies for Persons with Benchmark Disabilities [PwBDs]. The LIC of India, being an employer must have to justify through the Department of Financial Services (DFA) as to which particular category of disability is not suitable for their jobs, but overall the 4% job must be given to PwBDs even if only one sub-category of



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 13784/1011/2023/185734**

**Dated: 02/08/2024**

disability is suitable. The provisions of Section 34 of the RPwD Act, 2016 read with Rule 11 of the RPwD Rules and instructions issued by the central government are very clear in this regard.

2. The representative from Respondent No. 2 submitted that the Department of Financial Services had already issued the Notification dated 04.01.2021 to all the financial institutions for its implementation, and the LIC of India should have provided 4% reservation to PwBDs in terms of the said Notification of the DEPwD.

3. The representative of the Respondent affirmed that they would seek exemption accordingly. In a reply to a question, the Respondent submitted that out of a total of 9394 vacancies of Development Officer, 6285 posts could be filled up, but no post was filled up with PwBD.

4. The Complainant submitted that he is a person with hard of hearing and not a deaf category, he uses hearing aids and is capable of doing the job of Development Officer. Further, the post of Development Officer is not exempted for One Arm, One Leg, and Hearing Impaired persons with disabilities, they are suitable for the post of Development Officer. Only the blind person and low vision are not eligible for the post.

5. After hearing the parties, the Court expressed its deep anguish and dissatisfaction with the impunity with which the Respondent has violated the statutory reservation for persons with disabilities. The Court observed that even if this round of recruitment alone is considered, the LIC has denied job opportunities to 376 persons with disabilities. The Court was also unhappy about the role of Respondent No. 2 in this matter particularly that of the Liaison Officers of the two respondents. The Court felt compelled to impose a fine of 10000/- on Respondent No. 1 for such large-scale violation of the Act as per provisions of Section 89 of the Act. The Court directed the Respondent to deposit the amount to the National Trust (Bank Account Number 520141000555076, IFSC Code: UBIN0530786 of Union Bank of India, Delhi-Connaught Place Branch, New Delhi) within the next two weeks.

6. The Court further directed that on the instant issue of suitability of the post of Development Officer, the Respondents shall refer the matter of identification of posts/exemption to the DEPwD, for consideration and



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 13784/1011/2023/185734**

**Dated: 02/08/2024**

recommendation of the Expert Committee.

7. Further, Respondent No.1 is also directed to organize an adequate number of training programs on disability matters including on the reservation for persons with disabilities, and launch a special recruitment drive to fill up the backlog reservation/reserved vacancies for PwBDs within 90 days from the date of issue of this Record of Proceedings. A Compliance/Action Taken Report shall be submitted to this Court within 90 days from the date of this Order in terms of Section 76 of the Act.

8. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



सत्यमेव जयते

## कार्यालय मुख्य आयुक्त दिव्यांगजन

**OFFICE OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**

दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment

भारत सरकार/Government of India

5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष : (011) 20892364

5<sup>th</sup> Floor, N.I.S.D. Bhawan, G-2, Sector-10, New Delhi-110075; Tel.: (011) 20892364

Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

**Case No. 13808/1023/2023**

**In the matter of —**

**Complainant :**

Dr. Ranjit Singh Gujjar,  
Senior Scientist (Biotechnology, Agricultural Sciences),  
Division of Crop Improvement,  
ICAR-Indian Institute of Sugarcane Research (IISR),  
Raibareli Road, P.O. Dilkusha,  
Lucknow, Uttar Pradesh-226002  
Mobile No. 9389838780  
Email:ranjit.gujjar@icar.gov.in

**Versus**

**Respondent :**

The Principal Scientist and Head (Officiating),  
Division of Crop Improvement,  
ICAR-Indian Institute of Sugarcane Research (IISR),  
Raibareli Road, P.O. Dilkusha,  
Lucknow, Uttar Pradesh-226002  
Mobile No. 9455038993  
Email id : jyotsnendra.singh@icar.gov.in

### RECORD OF PROCEEDINGS

At the outset of the hearing, the Court asked the Respondent to confirm whether they issued any Show Cause Notice (SCN) to the Complainant after his grievance was taken up by this Court and if yes, whether through such notice the Complainant was asked to explain the reasons for approaching this Court.

2. The representative of the Respondent admitted that two memos were issued

to the Complainant after notice, in this case, was issued to them, where one of them sought explanation from the Complainant for approaching the Chief Commissioner for Persons with Disabilities (CCPD) without following proper channel.

3. The Court took umbrage about this and observed that the Complainant has a statutory right as per the RPwD Act, 2016 and the RPwD Rules, 2017 to approach the CCPD. The Court was also peeved at the fact that the said Memo was issued to the Complainant after his Complaint was admitted in this Court and a notice was issued, which also amounted to questioning the very authority of this Court for entertaining the Complaint. The Court found that at the very least, the officials and the authorities who were part of the decision-making to issue the SCN were unaware of the statutory provisions about the rights of persons with disabilities and the obligation of establishments to provide reasonable accommodation to them. The Chief Commissioner decided that such anti-divyang attitude needs to be addressed on priority and that the grievance of the Complainant can be heard in the subsequent hearing.

4. The Court directed the respondent to share a copy of the noting sheets showing the names of the officials of the Respondent institute who were part of the decision-making process for the issue of the Memorandum (SCN) to the Complainant. The Court directed that all such officers shall be attached to the Chandra Bhushan Singh Memorial Speech and Hearing Institute, 221, Amar Nagar, Raebareli UP 229001 (Mobile No. 9307542578), a prominent NGO colocated with the Respondent institute, which works for autistic, intellectually disabled and hearing impaired children, where they will work with the employees and volunteers and serve the students and the visitors of the institution for 3 days. Copies of the order of deployment and an Action Taken Report be furnished to this Court within 15 days of this Order. Another hearing in physical mode shall be conducted to hear the parties on the merit of the case in which the Director of the Respondent Institute shall be personally present in the court.

5. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

**Signed by**  
**Praveen Prakash Ambashta**  
**Date: 08-08-2024 09:31:00**

(Praveen Prakash Ambashta)  
Dy. Chief Commissioner



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/14051/1021/2023

Dated: 13/08/2024



**OFFICE OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
/Department of Empowerment of Persons with Disabilities (Divyangjan)  
/Ministry of Social Justice & Empowerment  
/Government of India  
5, ...., -2, -10, , -110075; : (011) 20892364  
5<sup>th</sup> Floor, N.I.S.D. Bhawan, G-2, Sector-10, New Delhi-110075; Tel.: (011) 20892364  
Email: [ccpd@nic.in](mailto:ccpd@nic.in); Website: [www.ccdisabilities.nic.in](http://www.ccdisabilities.nic.in)

**In the matter of —**

**Complainant :**

Shri Bhopal Lal Dhakad  
Mobile No. 9887306409  
Email id: Bhopal\_dhaker@rediffmail.com

**Versus**

**Respondent :**

Commissioner,  
Kendriya Vidyalaya Sangathan,  
18, Institutional Area,  
Shaeed Jeet Singh Marg,  
New Delhi-110016



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/14051/1021/2023

Dated: 13/08/2024

Tele No. 91-11-26858570  
Email id: commissioner-kvs@gov.in

**Hearing:**

1.1 A hybrid mode of hearing was conducted on 19.07.2024. The following parties/representatives were present during the hearing:

Sl No.	Name of the Parties / Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Shri Bhopal Lal Dhakad	Complainant	Online
2.	Shri Deepak Kumar Dabral, Asstt Commissioner	Respondent	Online

**2. RECORD OF PROCEEDINGS:**

2.1 The complainant submitted that he is currently working as a Primary Teacher and the next promotional post is that of Head Master. In the departmental examination, held for promotion to the grade of Head Master, no reservation was provided for persons with disabilities, whereas the same was extended to SCs and STs. He also submitted that reservation for Persons with Benchmark Disabilities was duly given in the post of Vice Principal.

2.2 The representative of the respondent submitted that they are in the process of





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14051/1021/2023**

**Dated: 13/08/2024**

implementing the decisions dated 13.10.2023 and 01.11.2023 of the Hon'ble High Court of Delhi in the matters of National Federation of the Blind Vs KVS and Suo Motu Vs KVS respectively. The Respondent also submitted that they are extending reservation to PwBDs in all promotions as well very shortly and for that purpose they have already submitted their proposal to the Ministry of Education.

2.3 The Chief Commissioner was of the view that it is best to defer this matter for 3 months and wait for the implementation of the aforesaid decisions of the Hon'ble High Court by the Respondent. Another hearing can be scheduled in this matter if the Complainant's grievance exists even after the implementation of the said judgments.

2.4 Accordingly, the Respondent is advised to expedite their action and furnish an Action Taken Report within 3 months from the date of these proceedings along with a status report on how the grievance of the Complainant has been redressed, which shall also be endorsed to the Complainant. The Complainant may submit his comments within 7 days of the receipt of the status report from the Respondent or on completion of 3 months from these proceedings.

2.5 This is issued with the approval of the Chief Commissioner.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14051/1021/2023**

**Dated: 13/08/2024**

---

**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD14244/1012/2023

Dated: 09/08/2024

**Case No.14244/1012/2023**

**In the matter of —**

Shri Mohit Mahajan  
B-55, Sector 41,  
Noida 201303  
Email: [mahajanipr@yahoo.co.in](mailto:mahajanipr@yahoo.co.in)

**Versus**

The Controller General of Patents, Designs & Trade marks  
Boudhik Sampada Bhawan,  
Antop Hill, S.M. Road  
Mumbai- 400037  
Email: [cgooffice-mh@nic.in](mailto:cgooffice-mh@nic.in)

**...Respondent No. 1**

The Secretary.  
Department of Administrative Reforms and Public  
Grievance.  
5th Floor, Sardar Patel Bhawan.  
Sansad Marg.  
New Delhi-110001  
Email: [secy-arp@nic.in](mailto:secy-arp@nic.in)

**...Respondent No. 2**

**Hearing:**

A hearing through was conducted on **30.07.2024** in Hybrid Mode (Offline/Online through Video Conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/ Representatives	Mode of Presence
<b>From Complainant:</b>		
1.	Shri Mohit Mahajan, Complainant	Physical



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD14244/1012/2023

Dated: 09/08/2024

From Respondent No.1:		
1.	Dr. Kavita Taunk, Joint Controller of Patent & Design	Online
From Respondent No.2:		
1.	Shri Kamal Thakur, Under Secretary	Online

**RECORD OF PROCEEDINGS**

At the very outset, the Hon'ble Chief Commissioner for Persons with Disabilities [in short "CCPD"] asked the Complainant to present his case briefly. The Complainant submitted that he is a person with 70% Visual Impairment which he acquired in the year 2008. His visual acuity is 0.5 and only his central vision is affected. He has been working in different establishments since the year 2001 till 2015. He worked at IIT Delhi, whereafter, he worked in a senior position in the CSIR reporting to the Director General. He applied for the post of Consultant for the establishment of Respondent No. 1 against an advertisement issued on 23.12.2012 as per the terms of the advertisements. The minimum age for the single post was 60 years. Out of the candidates who had applied, 03 candidates were shortlisted including the Complainant. However, he was the only one who appeared in the interview on 11.02.2023. As per the advertisement, the performance in the interview was supposed to be evaluated out of a total of 50 marks. However, it was not clear as to how many marks did he obtain and which interviewer gave him how many marks. Despite this, his representation including grievance was submitted on the PG Portal. He also stated that as the advertisement did not mention the job description of the post, he was not in a position to judge whether the post was suitable for his disability and whether he would be required to carry any aid or access device for effective participation.

2. The Respondent re-advertised the post without declaring the result of the first round of the interview but this time the upper age limit was extended from 60 to 65 years. The Complainant submitted that he applied again and again three candidates were shortlisted, the other two candidates were aged



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD14244/1012/2023**

**Dated: 09/08/2024**

between 60 to 65 and both of them had superannuated from the Respondent's establishment.

3. During the interview he was asked casual questions about his disability and work. However, no questions related to the job for which he had applied, were asked. According to the complainant, his interview went well. However, he was not selected and the position went to one of two internal candidates. The CCPD asked the complainant whether it was a regular or contractual post and where he was seeking the benefit of reservation as a PwBD candidate.

4. The Representative of the respondent refuted the allegation of the complainant and said that the decision to increase the upper age limit was taken because no suitable candidate could be found in the first round of recruitment. This was done on the advice and with the approval of the Ministry of Commerce and Industry. There were more than 80 candidates who had applied for the post, out of which the complainant was one out of 3 shortlisted candidates based on his records. Therefore, there was no intention to discriminate or reject the Complainant for being considered for the post. The Interview Committee was being headed by the CGPDTM. Prof. Unnat P. Pandit herself and she had considered an external member from the NITI Aayog. In the first round where the complainant was the only candidate who appeared in the interview, no marks were given and the Board recorded the remark "Not found suitable". In the second round, the Complainant got 22 marks out of 50 whereas, his 02 competitors got 30 and 42 respectively, as such, he could not be engaged.

5. Respondent No. 2 submitted that they receive a total of 20 to 22 lakh grievances in a year through the Grievance Portal from where they are directed to the concerned Ministry. The same has also been done in the case of the Complainant, and the DARPG has no role to play in this case. Therefore, they requested to drop the name of the Department from this case.

6. Upon considering the facts on records of this case and the submissions made by the parties, the CCPD observed that rejecting the



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD14244/1012/2023**

**Dated: 09/08/2024**

candidature of the complaint twice without informing him of the reason for such rejections and then selecting one of the candidates who superannuated on their establishment, does not reflect well and creates a doubt about the likelihood-based in the entire selection procedure. There appears to be much of tweaking in favour of the candidates who retired from the Respondent's Establishment.

7. In view of the above the Court directed the respondent to submit the following within 15 days from the date of receipt of this Record of Proceedings:

- (a) Complete text of both establishments from 23/12/2022 and 16/03/2023;
- (b) Copies of the file notings pertaining to both recruitment procedures;
- (c) A copy of their Equal Opportunity Policy as per Section 21 of the Act; and,
- (d) A copy of the policy showing that the reservation for PwBD was not applicable in the impugned contractual recruitment.

8. This is issued with the approval of the CCPD.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD14244/1012/2023**

**Dated: 09/08/2024**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. 14260/1023/2023

Dated: 02/08/2024

**Case No. 14260/1023/2023**

**In the matter of —**

Dr. Kurmendra

Assistant Professor,  
Department of ECE,  
Rajiv Gandhi University,  
Doimukh- 791112,  
Arunachal Pradesh  
Email : [kurmendra@rgu.ac.in](mailto:kurmendra@rgu.ac.in)

**... Complainant**

**Versus**

The Registrar,  
Rajiv Gandhi University,  
Rono Hills, Doimukh,  
Aruanchal Pradesh - 791112  
Email id: [registrar@rgu.ac.in](mailto:registrar@rgu.ac.in)

**... Respondent**

**Hearing (II):**

A hearing was conducted on **25.06.2024** in hybrid mode (Offline/Online through video conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/ Representatives	Mode of Presence
<b><u>From Complainant:</u></b>		
1.	Dr. Kurmendra, Complainant	Online
<b><u>From Respondent:</u></b>		





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14260/1023/2023**

**Dated: 02/08/2024**

1.	Dr. N.T. Rikam, Registrar	Online
2.	Advocate Tamargady, Legal Counsel	Online
3.	Ms. Oriental Taggu, Assistant Registrar	Online

**RECORD OF PROCEEDINGS**

During the hearing, at the very outset, the Hon'ble Chief Commissioner for Persons with Disabilities [in short "CCPD"] asked the representatives of the Respondent about the progress of the case since the last hearing was conducted on 10.04.2024.

2. The Registrar submitted that as directed by this Court in the last hearing, the requisite information and documents were already submitted. The main issue was about the recruitment which was reviewed by the scrutiny committee twice and they found nothing wrong. Hence, the case is settled. On the remaining issues, also there is nothing outstanding.

3. The Complainant submitted that nothing had been done by the Respondent. On the contrary, in the last hearing, the Respondent University had tried to prove him a rebel before this Court simply because he had asked for an experience certificate. He further submitted that anybody working in a government organization knows very well the difference between a No Objection Certificate and an Experience Certificate. He further submitted that multiple letters have been written by him to the Respondent university, but the University did not give him an experience certificate which is required for the purpose of applying for a job elsewhere for better prospects. As a result, on 6th June 2024, he made a representation to the PS to the Vice Chancellor. However, instead of resolving his grievance by expediting the issue of the Certificate, he was served with a Show cause notice for approaching the office of the Vice-chancellor.

4. On this the Court sought to know from the Respondent as to how they issued a show cause notice to the Complainant for writing to the PS to the Vice Chancellor after waiting for almost 100 days. The Court also wanted to know whether the University generally takes more than 3 months to issue such certificates in every case. The Respondent replied that they have already issued the Experience Certificate. The Court asked the Respondent



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14260/1023/2023**

**Dated: 02/08/2024**

to produce a copy of the certificate before the Court. The Complainant sought permission to show the certificate and he shared the same on the screen. He read out the last sentence from the certificate, which was as follows: -*"The Experience Certificate must not be used along with employment application in substitution of NOC."* He said that the certificate was not in the format and the Respondent University tried to play a game against him by making the above statement therein with a view to harming his future career:

4. The Court observed that the said statement in the experience certificate was unnecessary and apparently unfair. The Court asked the Complainant if the Respondent University usually makes such remarks in every Experience Certificate to be issued to other faculty. The Complainant submitted that he is singled out by the Respondent for such treatment.

5. The Court in exercise of its powers under Section 77 of the Act, directed to send a team consisting of the Dy. CCPD and three eminent persons of the divyang community to the Respondent University to conduct an overall assessment of the implementation of the RPwD Act, 2016 with specific attention to sections 3, 20 to 23, 28 to 34, 38, 39, 41, 42, 44-48 and 91 to 93 read with rules made thereunder and the relevant instructions of the Central government on the subject. The Committee shall also look into experience certificates issued to other employees and take note of the time taken to issue the certificates and the format in which they were issued to facilitate this court in examining the complaint that the Complainant is being discriminated against by the Respondent.

6. The Court directed the Respondent to review their decision of issuing the show cause notice the Complainant and issue the Experience Certificate as per the standard format if not done already within 02 days from the date of issue of the Record of Proceedings and furnished within 7 days their ATR in this regard.

**Yours faithfully,**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14260/1023/2023**

**Dated: 02/08/2024**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. 14263/1011/2023

Dated: 09/08/2024

**Case No. 14263/1011/2023**

**In the matter of —**

Shri Nischal Kumar,  
R/o Nagar Untari,  
PO + PS: Nagar Untari,  
District: Jharkhand 822121  
Email: [nischalkumar022@gmail.com](mailto:nischalkumar022@gmail.com)

**... Complainant**

**Versus**

(1) The Secretary,  
Railway Board,  
Ministry of Railway,  
Rail Bhawan, Rafi Marg,  
New Delhi- 110001  
Email: secyrb@rb.railnet.gov.in **... Respondent No.1**

(2) The Chairman,  
Railway Recruitment Cell,  
South Eastern Railway,  
Garden Reach, SER HQ,  
Kolkata 700043  
Email: cmrrcrailnet@gmail.com **... Respondent No.2**

**Hearing (II):**

1. A 2<sup>nd</sup> hearing was conducted on **30.07.2024 (Online/Offline)**.  
The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/ Representatives
------------	---



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. 14263/1011/2023

Dated: 09/08/2024

<b><u>From Complainant:</u></b>	
1.	Shri Nischal Kumar, Complainant
2.	Shri Mukesh Gupta, for the Complainant
<b><u>From Respondent No.1:</u></b>	
1.	Shri Kaushik Bhattacharya, Chairman/RRC/SER
<b><u>From Respondent No.2:</u></b>	
1.	Shri U.K. Tiwari, Director-Establishment (Non-Gazetted Officers), Railway Board

**RECORD OF PROCEEDINGS**

At the very outset, the Hon'ble CCPD apprised the parties that in the last hearing it was made clear that in the list of identified posts issued by the Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment [DEPWD], vide Notification dated 04.01.2021, the Class IV posts are identified for both legs divyang persons. So, unless the Railways could produce any paper that has legal validity and shows that both legs (BL) divyang persons have been exempted from that post, prima-facie it seems that Railways should not have done that. Therefore, the Railways were obliged to even consider both legs divyang persons in the list of permissible persons who can do this job. Now, the onus is on the Railways to produce the proper documents which show that the Railways followed the process for exemption from the reservation of posts for Both Leg divyang persons as laid down in the Act and rules thereunder otherwise it is a violation.

2. As submitted by the Director Establishment, Railway Board, the Court noted that the recruitment for the advertisement published in the year 2019 could be accomplished late i.e. in the year 2023 due to the Covid-19 epidemic. The instant case is related to the year 2019 advertisement wherein the notification for the identified list issued by DEPWD in the year 2013 was applicable and no Group-D post was identified suitable therein for



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14263/1011/2023**

**Dated: 09/08/2024**

Both Legs divyang persons. As per the representative of the Railway Board, in accordance with the Notification dated 04.01.2021, 05 posts have been identified as suitable for persons with both legs divyang categories based on the job profiles. In accordance with the advertisement published in the year 2019 approximately 1.0 Lakh vacancies of Group-D posts were notified for all Railway zones, out of which only 1800 vacancies could be filled up by the Railways in all zones. The Court noted that at least 4000 posts should have been filled with the Benchmark Divyang Persons.

3. Shri Mukesh Gupta, the representative for the Complainant submitted that Railways has discriminated against Both Legs Divyang persons and intentionally did not provide reservation for them. There are so many Divyang persons with Both Legs as is the Complainant who can move and function, but the Railways did not provide reservation to them, no exemption from reservation was obtained from DEPWD. No reservation roster is being maintained by the Railways, and in the absence of a reservation roster, it is not known on what basis the Railways is earmarking and calculating the reservation for benchmark divyang persons.

4. After hearing both the parties, the Court noted that approximately 3000-4000 Benchmark Divyang Persons have been not recruited and genuine categories of Divyang persons have been deprived of their legitimate right of reservation in Group-D posts. The Court directed the Respondents to furnish the following information/documents within 10 days from the date of receipt of this Record of Proceedings:

- i. Total Number and names of posts in Group-D categories; the name of the categories of disabilities identified suitable for those posts by the Railways with their required functionality.
- ii. Total number of vacancies published in the year 2019 for recruitment to Group-D posts along with the name of posts, name of the categories of disabilities identified suitable for those posts with their functionality.
- iii. Category-wise details of backlog vacancies of Group-D posts at



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14263/1011/2023**

**Dated: 09/08/2024**

the time of the advertisement published in the year 2019.

iv. Reservation roster maintained by the Railways for all categories of Benchmark Divyang Persons since 1996 till 2023.

5. This is issued with the approval of the CCPD.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. 14279/1011/2023

Dated: 02/08/2024

**Case No. 14279/1011/2023**

**In the matter of —**

**Complainants:**

Sl. No.	Case No.	Name and Disability	Date of Complaint	Date of Notice
1.	14279/1011/2023 15365/1011/2024	Mr. Raj Kumar, 75% Visual Impairment	12.07.2023	21.07.2023
2.	14279/1011/2023	Mr. Avdhesh Kumar Kaushal, 100% Visual Impairment	13.07.2023	27.05.2024
3.	14286/1011/2023	Mr. Hemant Maheshwari, 100% Visual Impairment	13.07.2023	21.07.2023
4.	15207/1014/2024	Mr. Pawan Kumar, 100% Locomotor Disability (CP)	29.02.2024	18.03.2024
5.	15227/1014/2024	Mr. Surinder Singh, 40% Locomotor Disability (OL)	08.03.2024	26.04.2024
6.	15232/1014/2024	Mr. Arif Husain, 100% Visual Impairment	05.03.2024	19.03.2024
7.	15409/1014/2024	Mr. Hazari Singh 40% Locomotor Disability (OL)	12.06.2024	18.06.2024
8.	15410/1014/2024	Mr. Rajesh Yadav 75% Locomotor Disability (BL)	13.06.2024	14.06.2024
9.	15457/1014/2024	Mr. Vijay Singh Saini 41% Locomotor Disability (OL)	30.05.2024	01.07.2024





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

10.	15458/1014/2024	Ms. Jagriti Lamba 88% Multiple Disability (Both Ears + Thalassemia)	06.06.2024	01.07.2024
11.	15464/1011/2024	Ms. Rashi 100% Hearing Impairment	02.07.2024	03.07.2024
12.	15470/1011/2024	Mr. Dnyanendra Prakash Verma 90% Locomotor Disability (BL)	09.06.2024	03.07.2024
13.	15482/1011/2024	Mr. Ram Gopal Nimad 50% Locomotor Disability	26.06.2024	04.07.2024
14.	15499/1011/2024	Mr. Sujeet Kumar 50% Locomotor Disability	18.06.2024	05.07.2024
15.	15520/1011/2024	Dr. Raja Kamkupati 100% Visual Impairment	06.07.2024	08.07.2024
16.	15531/1011/2024	Mr. Amit Kumar 80% Locomotor Disability	09.07.2024	10.07.2024

**Versus**

The Commissioner,  
National Education Society for Tribal Students (NESTS),  
Gate No. 3A, Jeevan Tara Building,  
Parliament Street,  
New Delhi- 110001  
Phone: 011-23340280



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

Email: [nests-tribal@tribal.gov.in](mailto:nests-tribal@tribal.gov.in)

[asit.gopal@nic.in](mailto:asit.gopal@nic.in)

... Respondent

**Hearing (II):**

A second hearing was conducted on **19.07.2024** in hybrid mode (offline/online through video conferencing) in the cases mentioned at serial No.1 to No.6. The cases mentioned at serial No.7 to No.17 were clubbed together being similar complaints against the Respondent. The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/ Representatives	Mode of Presence
<b>From Complainants:</b>		
1.	Mr. Raj Kumar through Mr. Pradeep Kumar	Online
2.	Mr. Avdhesh Kumar Kaushal	Online
3.	Mr. Hemant Maheshwari	Online
4.	Mr. Pawan Kumar,	Online
5.	Mr. Surinder Singh	Online
6.	Mr. Arif Husain	Online
7.	Mr. Hazari Singh	Online



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

8.	Mr. Rajesh Yadav	Online
9.	Mr. Vijay Singh Saini	Online
10.	Ms. Jatriti Lamba	Online
11.	Ms. Rashi through Mr. Akshay Malik, Advocate	Online
12.	Mr. Dnyanendra Prakash Verma	Online
13.	Mr. Ram Gopal Nimad	Online
14.	Mr. Sujeet Kumar	Online
15.	Dr. Raja Kamkipati through Mr. Annavaram Advocate	Online
16.	Mr. Amit Kumar	Online
<b>From Respondent:</b>		
1.	Mr. Vinod Patil, Assistant Commissioner, NSTES	Online
2.	Mr. Somesh Chandra Jha, Advocate for the Respondent	Online
3.	Shri Amartya A. Sharan, Advocate for the Respondent	Online

**RECORD OF PROCEEDINGS**

At the very outset, the Hon'ble Chief Commissioner for Persons with Disabilities (in Short "CCPD") apprised that a number of cases of similar nature have been combined. The replies of the Respondent were received on the day of the second hearing itself and it was not known whether the same have been forwarded to the Complainants or not. However, the Court asked the Respondent to put up their stand first in the hearing.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

2. The Ld. Counsel for the Respondent submitted that the replies were filed in all the cases before this Court along with a copy to the complainants. The Ld. Counsel further informed that two cases of similar nature have been filed before the Hon'ble High Court of Delhi – one, Mr. Satyen Kumar Sahu, and another Mr. Yashwant Yadav, both 100% visual impairment for appointment to the post of PGT (Hindi) and TGT (Social Studies) respectively. The Hon'ble Court in both the cases had seized of the issues and restricted any further recruitment till further orders in those writ petitions. In reply to a question, the Ld. Counsel confirmed that the said two petitioners are not part of the sixteen cases before this Court.

3. The Ld. Counsel further replied that as directed by this Court in the last hearing, the Commissioner, NESTS was supposed to appear in the hearing. However, due to a pre-scheduled meeting, he had with the Hon'ble Minister for Tribal Affairs, he has sought an exemption from appearing in the hearing and has deputed Mr. Vinod Patil, Assistant Commissioner, NESTS to represent him in the hearing before the Hon'ble CCPD.

4. The Ld. Counsel further submitted that as happened in these cases, the Eklavya Model Residential Schools (EMRS) Scheme is based on the Navodaya Vidyalaya model as both are residential schools. In the year 2022-23, the Navodaya Vidyalaya Samiti had not reserved any seats for visually impaired persons. The Ld. Counsel, however, affirmed that now the Navodaya Vidyalaya is giving reservations to persons with visual impairment but prospectively. In cases of Kendriya Vidyalayas, the Hon'ble High Court of Delhi has ordered reservation to persons with visual impairments in future recruitments. However, the Ld. Counsel submitted that, in any case, four percent reservation has been provided to the persons with disabilities by the Respondent in the instant cases before this Court.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

5. The Hon'ble Court then asked the complainants to present their cases one by one briefly. Shri Raj Kumar (75% LV), the Complainant (No.1) submitted that he had applied for the post of Principal. He submitted that no reply was filed by the Respondent, despite a direction in this regard by this Court in the last hearing. Shri Pradeep Kumar who was appearing on behalf of the Complainant submitted that the Jawahar Navodaya Vidyalaya (JNV) had published its advertisement to fill up the vacancies of Principals and in its advertisement had reserved the vacancies of Principals for persons with visual impairment. The learned Counsel is misleading this Court that JNV had not provided reservation to persons with visual impairment as the said advertisement had been published before the ibid advertisement published by the Respondent. Recently, on 24.05.2024, the JNV selected persons with visual impairment for the post of Principal under a special recruitment drive. He questioned the rationale of not appointing a blind person as Principal when he can work as a PGT. The Respondent deliberately deprived of the legitimate right of persons with visual impairment to get appointed to the post of Principal. He requested that the ibid advertisement be quashed and the Respondent be penalized.

6. Mr. Avdesh Kumar Kaushal (100% B) had applied for the post of Principal. He submitted that the Respondent is discriminating against persons the disabilities. After qualifying as a general candidate for the post of Principal, the Respondent denied the candidates with visual impairments for appearing in the interview. He sought to know how the Respondent released the final result and issued posting orders to the candidates when the matter was subjudice before the CCPD. He requested for penal action against the Respondent may be penalized.

7. Mr. Hemant Kumar Maheshwari (100% B) had applied for the post of Principal. The Respondent was apprised through this Court and hence he was fully aware of the orders of the Hon'ble High Court and Hon'ble CAT that no PwBDs with visual impairment can be rejected for the post of Principal. The last hearing was conducted on 03.06.2024 and thereafter, the Respondent deliberately completed the recruitment process and published the result on 05.06.2024 denying the persons with visual impairment of their rights to be considered for recruitment and exhibiting a total indifference to the direction issued by this Court in the last hearing. He also said that the learned Counsel for the Respondent was deliberately misleading this Court and demanded that the Respondent be penalized.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

8. Mr. Arif Hussain (100% B) submitted that in the advertisement, for the post of Principal, 13 vacancies were earmarked for persons with Orthopedic Disabilities, and zero vacancies were earmarked for persons with HI and VI. However, nowhere in the advertisement it was written that persons with visual impairment are not eligible for the post of principal. Further, when the persons with VI and HI were not eligible for the post of Principal why their applications were entertained, they were allowed to appear in the written tests, were also provided the facility of scribe/compensatory time, etc., and were called for document verification and interview. During the interview, Mr. Vinod Patil, Assistant Commissioner, NESTS informed that the candidates having more than 40% disability could not be selected for any posts.

9. In reply to a question, the representative for the Respondent Mr. Patil submitted that written exams were conducted by CBSE, he was not aware how many candidates were sitting in the written examination and what were their disabilities.

10. Mr. Pawan Kumar (100% CP) who belongs to Jhajjar (Haryana) submitted that he is a wheelchair user. He had applied for the post of Principal. He was called for the interview. He came with an escort from Jhajjar to attend the interview to be conducted at the Indian Institute of Public Administration (IIPA), ITO, New Delhi. The interview was conducted on the first floor of the building and there was no lift facility. He waited there for around 6 hours. Thereafter, he was told by Mr. Vinod Patil, Assistant Commissioner, NESTS that the candidates with cerebral palsy could not be selected, therefore, they would not be allowed for the interview.

11. Mr. Surinder Singh (40% OL) had applied for the post of Principal. He was called for an interview and document verification on 19.02.2024. He said that Mr. Vinod Patil made an insulting remark about his disability during the document verification. He was not allowed for the interview as he was not among the subcategories of disability allowed by the Respondent establishment, namely- OA, Dw, AAV, or LC. On the objections raised and denials by the Ld. Counsel and Mr. Patil of statements of the complainants, Shri Surinder Singh requested this Court that the Respondent be directed to furnish the video recording of that day.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

12. Mr. Hazari Singh (40% OL) had applied for the post of Principal. He is presently working as a Lecturer in Government of Rajasthan. He was called for an interview to be conducted in New Delhi. He reached New Delhi after traveling approximately 450 km in a self-driven adapted vehicle to appear in the interview. During the interview, one of the interviewers who was a lady told him that as decided by the Respondent he could not be selected.

13. Mr. Vijay Singh Saini (41% OL) had applied for the post of Principal. He was disqualified from the interview on the grounds of his disability. Thereafter, he approached the Hon'ble CAT, Jaipur, and won the case against the Respondent. The Hon'ble CAT has given one month's time to the respondent to redress the grievance of Mr. Saini on the same issue.

14. Mr. Dnyanendra Prakash Verma (90% BL-CP) had applied for the post of Principal. He was called for an interview to be conducted in Delhi, and he reached the venue from Lucknow approx. 450 km away from Delhi. His testimonials were verified by Mr. Patil. He was not allowed to appear in the interview on the grounds of his disability. The Complainant submitted that in a similar matter in the case of Mr. Vishnu Prakash and Mr. Manohar Lal, the Hon'ble CAT has ordered to keep reserved one post of Principal in each case. The Complainant also informed that he is presently working in Kendriya Vidyalaya as a PGT (Commerce). He was selected in the general category and his first posting was in Assam.

15. Mr. Rajesh Yadav (75% BL) had applied for the post of PGT (English). He was selected and called for document verification and interview. However he was not allowed to appear in the interview on the grounds of his disability.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

16. Ms. Jagriti Lamba [88% MD (Both Ears + Thalassemia)] belongs to Delhi and had applied for the post of PGT (Geography). The result was published on 22.01.2024. The document verification was conducted at Dehradun. She was selected and got a provisional appointment letter dated 02.03.2024, around 10 days before the general election. She was also told by the Respondent that her selection would be got registered on the "Karmyogi Portal". She further submitted that all these things about her selection in NESTS can be seen in her phone that she is an employee of NESTS; but she could not download the final appointment letter so far. All these things got done by NESTS and the Hon'ble Prime Minister had given her the appointment letter among other candidates. Later on, it was generally informed by the Respondent that those who could not download the final appointment letter is rejected.

17. Mr. Sujeet Kumar (50% LD) had applied for the post of TGT (SST), and he belongs to Gharhwa (Jharkhand). He was selected and an appointment letter was given to him by the Hon'ble Minister, Mr. Arjun Munda on 11.03.2024 during the "Megha Rozgar Mela" at Saraikela (Jharkhand) but the appointment letter was without the date of joining. He was assured that the date of joining would be informed to him. He was never given the date of joining and rather it was informed that his candidature had been rejected on the grounds of disability.

18. Mr. Ram Gopal Nimad (50% LD – Spinal Deformity) applied for the post of TGT (Commerce). He belongs to Ajmer (Rajasthan). He was selected and called for document verification and interview in Karnataka, approx. 2000 km away from Ajmer (Rajasthan). He appeared in the interview for the document verification. His selection was denied on the grounds of disability.

19. Mr. Raja Kamkipati (100% B) had applied for the post of TGT (Telugu). He was selected and given an appointment letter. He was told that the place of appointment would be informed to him later. Thereafter, he was informed through email that the candidates with visual impairment are not listed in the advertisement, hence he was not suitable for the post of TGT (Telugu). The Ld. Counsel for the Complainant pleaded that the Respondent be advised to issue an appointment letter and the place of posting.





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

20. Ms. Rashi (100% HI) had applied for the post of Accountant. She traveled all the way to Gujarat from Haryana for interview and document verification. She was selected and issued a provisional appointment letter. Thereafter, she was informed through email that her disability was not mentioned in the advertisement, and a 100% disabled person is not eligible to be appointed at any post. Therefore, her selection was canceled on the grounds of her disability.

21. Mr. Amit Kumar (80% OAL) applied for the post of TGT (Maths). He was selected for the post and called for document verification at Morarji Desai Residential School, Bangalore on 12.02.2024. After successful document verification and medical examination, he was issued a provisional appointment letter on 02.03.2024. Thereafter, he received an email that he was ineligible for the post of TGT (Maths) on the grounds of his disability. The Complainant submitted that he is capable of walking and to perform his duty as a teacher.

22. From the responses of Mr. Vinod Patil, the Assistant Commissioner to the various queries made by this Court, the Court observed that NESTS officials were not knowing how many candidates were sitting in the exam and who were taking the exam. It showed that the entire things of selection process were outsourced with absolutely zero supervision and without much application of mind by the Respondent. There is a total lack of due diligence in the recruitment process. As per their own rules the Respondent, if the candidates were not eligible to apply (in fact they are eligible), it was not understood why were they allowed to take the written exam, or were called for interview and document verification.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

23. After hearing both the parties, the Court observed that the Respondent did blunders in the whole recruitment process in the selection of Persons with Benchmark Disabilities (PwBDs) and violated the provisions of legislation and the rules thereunder, particularly Sections 33 and 34 of the Act and the Notification dated 04.01.2021 of the Central Government on identification of posts. Moreover, the Respondent had sent call letters to Complainants who are for appearing in interview at the venue decided by the Respondent. The venue of the interview was not accessible and barrier-free as per the standards which have been confirmed during the hearing. Some PwD Candidates who are wheelchair users were forced to crawl to the 2nd and 3rd floors of the venue of their interview/document verification. Also, the Respondent not only harassed the complainants but also publically humiliated the candidates with disabilities/the complainants who came to appear in the interview from distant places on the call of the Respondent. They were not allowed to appear in the interview. Due care was not taken to ensure that the PwBDs particularly blind candidates are allowed the nearest venue for interview and document verification. They were asked to travel long distances and in one case more than 2000 km only to be told that they were not eligible to be appointed. Therefore, for the intentional harassment & humiliation of the Complainants/candidates, the Court found the Respondent liable to be penalized in terms of Section 89 of the Rights of Persons with Disabilities Act, 2016, and accordingly, the Respondent is directed to pay to each of the Complainant a fine of 10000/- through the available mode of payment which is convenient to the Complainants within 07 days from the date of receipt of this Record of Proceedings and submit a compliance report within 15 days.

24. The Court further directed as under:

24.1 The Respondent has to furnish the details of all the 13 candidates (This was discussed before in the RoP) with disabilities who have been appointed to the post of Principal. The details would include the names, percentage, and nature of disability along with a copy of their UDID/Disability Certificate.

24.2 The Respondent has to furnish the video recordings of the interview and document verification conducted by the Respondent with regard to the candidates/complainants with disabilities.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

24.3 The Respondent would clarify whether the Selection Committee was empowered to decide whether or not to allow a candidate for an interview who has been called for an interview. Whether the Recruitment Rules of NESTS say that the eligible candidates with disability are not suitable on the grounds of disabilities?

24.4 The Respondent has to furnish the details of vacancies (category-wise) that were advertised and what was the percentage of reservations given to Persons with Benchmark Disabilities (PwBDs) and to which category of disabilities; details of the candidates selected; and the details of the PwBDs; the details of PwBDs called for interview; details of the candidates to whom appointment letters were issued; and what were the reason of not given posting to the selected PwBDs. The Court allowed 15 days from the date of issue of this Record of Proceedings.

24.5 Mr. Vijay Singh Saini, the Complainant was advised to furnish a copy of the Order of Hon'ble CAT Jaipur within 07 days from the date of issue of this Record of Proceedings.

24.6 The Respondent has to look into the case of Ms. Jatriti Lamba and other such candidates with disabilities who have been issued appointment letters by the Hon'ble Prime Minister and the Hon'ble Union Minister and furnish the action taken within 15 days from the date of this Record of Proceedings.

25. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14279/1011/2023**

**Dated: 02/08/2024**

**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14451/1101/2023**

**Dated: 27/08/2024**

**Case No. 14451/1101/2023**

In the matter of —

Suo-motu cognizance to ensure accessibility of built environment of all banks and insurance companies buildings/offices as per sections 40, 45 and 46 of the Rights of Persons with Disabilities Act, 2016 read with Rule 15 of the Rights of Persons with Disabilities Rules, 2017 and the Harmonized Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disabilities and Elderly Persons

**Versus**

The Secretary,  
Department of Financial Services,  
Ministry of Finance,  
Room No.6A, 3rd Floor,  
Jeevan Deep Building  
Sansad Marg, New Delhi-110001  
Email: [secy-fs@nic.in](mailto:secy-fs@nic.in)

**... Respondent**

**Hearing (I):**

A hearing was conducted on **09.08.2024** in hybrid mode (Offline/Online through video conferencing).

**Present:** Shri Jagjeet Kumar, Director (Welfare) on behalf of the Respondent

**RECORD OF PROCEEDINGS**

The Chief Commissioner for Persons with Disabilities [in short “the CCPD”] started the hearing by stating that this being the first hearing in this matter, he wanted to use this opportunity to frame the right kind of queries to enable the Department of Financial Services [DFS] to respond to them appropriately and to appoint at least two amicus curiae to assist this Court with their insights, experience and feedback. A visually impaired person and a wheelchair user can be drafted as amicus curiae to start with.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14451/1101/2023**

**Dated: 27/08/2024**

2. The CCPD flagged the concerns of persons with disabilities on the issue of navigating the websites of various banks and insurance companies, using their ATMs, POS machines and also the debit or credit cards issued by the banks. Very few banks have issued accessible debit or credit cards to persons with visual impairment. Many merchants are not using accessible POS machine and they insist on asking the PIN from the customers to facilitate the Payments, which is a serious breach of security for the customers who are visually impaired. Similarly, the wheelchair users have to encounter physical barriers in using the branch, the ATM and the other facilities in terms of improper parking place, lack of ramps, railings and lifts, barriers at the entry and exit of the buildings, which are so typical in banks. The chief Commissioner also highlighted the lack of awareness in the common workforce of the banks and the insurance companies about the needs and issues of persons who disabilities. The Court desired to know what action the DFS has taken in this regards including issuing instructions on conduct of awareness workshops, targeting, particularly officers who are working in the IT and infrastructure divisions of the banks and monitoring the conduct of such workshops.

3. The CCPD also directed to implead the Joint Secretary concerned with accessibility matters in the Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment [DEPWD] as a respondent in this matter.

4. The CCPD decided to nominate the following persons to be invited as amicus curiae in this matter:

- i. Advocate Rahul Bajaj, a reputed advocate on disability matters and a person with visual impairment, and
- ii. Miss Anjali Agarwal, an expert on accessibility matters who is a wheelchair user.

5. The DFS and the DEPWD are allowed 30 days to respond with the status in respect of issues mentioned above, whereafter, the next hearing will be conducted in this matter.

6. This is issued with the approval of the CCPD.

Copy to:

- (1) The Joint Secretary (Accessibility),  
Department of Empowerment of Persons with Disabilities,  
Ministry of Social Justice & Empowerment,  
Through: The Secretary,  
Room No. 524, B-III Wing,  
Antyoday Bhawan, CGO Complex,



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14451/1101/2023**

**Dated: 27/08/2024**

Lodhi Road, New Delhi – 110003  
Email: [secretaryda-msje@nic.in](mailto:secretaryda-msje@nic.in)

- (2) Advocate Rahul Bajaj,  
R/o Block 12, Sarvapriya Vihar apartments,  
New Delhi-110016,  
Email: [rahul.bajaj1038@gmail.com](mailto:rahul.bajaj1038@gmail.com)
- (3) Miss Anjali Agarwal,  
Women Economic Forum,  
B-2/66, MCIE, First Floor,  
Mathura Road,  
New Delhi - 110044  
Email: [dg@wef.org.in](mailto:dg@wef.org.in)

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: [ccpd@nic.in](mailto:ccpd@nic.in)**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14743/1022/2024**

**Dated: 05/08/2024**

**Case No.14743/1022/2024**

**In the matter of —**

Shri Sandip Pradhani Chandure  
Vill+Post- Lingnur, Tal-Miraj  
Dist.- Sangli, Maharashtra- 416401  
Email: pujarichaitanya28042004@gmail.com

**Versus**

The Chairman  
Central Board of Indirect Taxes and Customs  
North Block  
New Delhi- 110001  
Email: chmn-cbic@gov.in

**Hearing:** An online hearing through Video Conferencing was conducted on 25.06.2024. The following parties/representatives were present during the hearing:

1. Shri Sandip Pradhani Chandure - **Complainant**
2. Shri Mohammad Ashif, Under Secretary – **Respondent**

**RECORD OF PROCEEDINGS**

At the outset, the Chief Commissioner asked the Respondent about the status of vacancies and any feasibility of redressal of the grievance of the Complainant. The representative of the respondent informed the Court that there were two vacancies reserved for candidates with Visual





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14743/1022/2024**

**Dated: 05/08/2024**

Impairment in the year 2023. One was at Jaipur while the other was at Thiruvananthapuram. The allocation of zones amongst the successful candidates is decided based on merit-cum-preferences principle. There was another candidate with Visual Impairment, Shri Kaushal who got an all-India Rank is 5700, whereas the merit rank of the Complainant was 5780. Since the senior candidate was allotted Jaipur based on his preference, the Complainant got Thiruvananthapuram. The Respondent also submitted inter-zone transfer is not permissible in their establishments, however, the feasibility of transfer on loan basis or by way of deputation does exist.

2. Thereafter, the Chief Commissioner asked the Complainant to make his case in brief. The Complainant submitted that his sister, also a person with 60% Visual Impairment, is still studying in class 12, for whom he is the sole caregiver as his parents are not alive. He also submitted that he will have a language problem at Thiruvananthapuram and that if he joins his posting there, he will never be able to come back as there is no scheme for inter-zone transfer in the CBIC.

3. The Chief Commissioner asked the complainant whether he was aware of the location of vacancies in CBIC at the time of filing his preferences. The Complainant submitted that the Staff Selection Commission advertisement was silent about this. The allocation of vacancies was revealed only at a much later stage. He also stated that if he had been aware of the vacancy details of the respondent establishment



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14743/1022/2024**

**Dated: 05/08/2024**

he would not have opted for the department and rather might have chosen some other service/organization in which vacancy was available in Mumbai or in Maharashtra. He might have preferred another post even with a lower pay scale.

4. The Court asked Respondent whether zone-wise vacancy details for each category of candidates, both reserved or unreserved were made available to the candidates at the time of submission of their application for recruitment. The Respondent submitted that as per the practice, they send the requisition to the Staff Selection Commission with complete details of zone-wise vacancies, and the same is also posted on their website. Candidates are supposed to check the recruitment rules and details of vacancies on the website of the organization. The Complainant submitted that no such details were published in the advertisement of the Staff Selection Commission.

2. The Chief Commissioner acknowledged that the issue raised by the complainant is a genuine issue and observed that in such a compelling situation as described by the complainant, he could have opted for even a lower service or post if he had been aware of the vacancy details. The choice, preference, or consent is meaningless if they are obtained from an uninformed person. It was for the respondent and the Staff Selection Commission to bring the relevant information to the knowledge of the candidates before seeking their preference. The Court decided that the Staff Selection Commission needs to be impleaded in this matter as Respondent No. 2 and another hearing be held to review the policy. In the meantime, Respondent No. 1 shall furnish a copy of the



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14743/1022/2024**

**Dated: 05/08/2024**

detailed procedure of recruitment including communication of their requisition to the SSC. The Complainant shall also submit other evidence in his possession to establish his claim that the details of vacancies were not specified in the advertisement.

4. This is issued with the approval of the Chief Commissioner for Persons with Disabilities



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. 14743/1022/2024**

**Dated: 05/08/2024**

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

**Case No. 14756/1032/2024**

**In the matter of —**

**Suo-motu cognizance regarding accessibility of school building, books, website, learning materials, playgrounds; denial of admission, denial of reasonable accommodation; and absence of special educators etc. in Delhi**

**Versus**

(1) The Secretary  
Department of School Education and Literacy,  
Ministry of Education,  
122-C, Shastri Bhawan,  
New Delhi – 110001  
Tele No - 011-23383451  
Email – [secy.sel@nic.in](mailto:secy.sel@nic.in)

(2) The Secretary,  
Education Department,  
Government of NCT of Delhi,  
Old Secretariate, Near Vidhan Sabha,  
Delhi – 110054  
Email - [secyedu@nic.in](mailto:secyedu@nic.in)

(3) The Principal,  
Chinmaya Vidyalaya,  
Near Priya Cinema,  
Indian Air Lines & Air India Estate,



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

Vasant Vihar, New Delhi,  
Delhi 110057  
Email – [admin@chinmayavvdelhi.ac.in](mailto:admin@chinmayavvdelhi.ac.in)

(4) The Principal,  
St. Thomas School,  
Dwarka Goyla Dairy Rd, Block A,  
Goyla Vihar, Najafgarh,  
New Delhi – 110071  
Email – [info@stthomasdwarka.com](mailto:info@stthomasdwarka.com)

(5) The Principal,  
Vasant Valley School,  
Vasant Kunj Marg, Pocket 7,  
Sector C, Vasant Kunj,  
New Delhi - 110070  
Email – [info@vasantvalley.edu.in](mailto:info@vasantvalley.edu.in)

(6) The Principal,  
Sardar Patel Vidyalaya,  
Lodhi Estate, New Delhi,  
Delhi – 110003  
Email - spv@spvdelhi.org; [spvdelhi@gmail.com](mailto:spvdelhi@gmail.com)

(7) The Principal,



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

Mount Carmel School,  
Sector 22 Dwarka, Dwarka,  
New Delhi – 110077  
Email – [info.dw@mountcarmelschool.com](mailto:info.dw@mountcarmelschool.com)

(8) The Principal,  
Modern school,  
Barakhamba Road,  
New Delhi – 110001  
Email - [principal@modernschool.net](mailto:principal@modernschool.net)

(9) The Principal,  
OPG World School,  
Opposite Sanskriti Apartments,  
Radha Krishna Mandir Marg,  
Sector 19B, Dwarka,  
New Delhi – 110075  
Email – [info@opgworldschool.com](mailto:info@opgworldschool.com)

(10) The Principal,  
Delhi Public School RK Puram,  
Kaifi Azmi Marg, KD Colony,  
Sector 12, RK Puram,  
New Delhi – 110022  
Email - [principal@dpsrpk.net](mailto:principal@dpsrpk.net)



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

(11) The Principal,  
Bal Bharati Public School,  
Rd Number 203, opp. ICICI Bank,  
Sector 12 Dwarka, Dwarka,  
New Delhi – 110078  
Email – [principal\\_bbpsdw@yahoo.com](mailto:principal_bbpsdw@yahoo.com)

(12) The Principal,  
Apeejay School,  
J-Block, Gurudwara Road Saket,  
New Delhi-110017  
Email – skool.saket.del@apj.edu

**Hearing (I):**

A hearing was conducted on **09.08.2024** in hybrid mode (Offline/Online through video conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name of the Respondent	Name of the representative appeared	Mode of appearance – Offline/ Online





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

1.	The Secretary, Department of School Education and Literacy, Ministry of Education	Ms A. Srija, Economic Adviser, Department of School Education & Literacy	Online
2.	The Secretary, Education Department Govt. of NCT of Delhi	(1) Dr. Kulwant Kaushik for Dy. Director Education (DDE) (2) Ms Anju Chawla, Dy. Director Education, Zone – 23 District South (3) Dr. Rajbir Singh Yadav, DDE, Zone-20 (4) Shri Bijender Singh, (5) Shri Dinesh Kumar Gupta, District Coordinator Inclusive Education (6) Ms. Ravinder Kaur, DDE Zone 26 (7)	Online
3.	The Principal, Chinmay Vidyalaya, Vasant Vihar, Delhi	Shri Alok Singh Kathait Accountant	Online
4.	The Principal, St. Thomas School, Najafgarh, Delhi	1. Advocate Atul Jain, Counsel for St. Thomas School 2. Ms Meneka I. Singh Principal	Online



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

5.	The Principal, Vasant Vally School, Vasant Kunja, Delhi	(1) Advocate Vrinda Bhandari, Counsel (2) Ms Dipsi Soni, Legal Counsel	Online
6.	The Principal, Sardar Patel Vidyalaya, Lodhi Estate, New Delhi	Col. Sanjiv Shukla (Retd.), Manager	Online
7.	The Principal, Mount Carmel School, Dwarka Sector-22, Delhi	Dr. Michael V. Williams, Principal	Online
8.	The Principal, Modern School, Barakhamba Road, New Delhi	(1) Shri Rishi Pandey (Overseer) (2) Shri Kamal Mehta, Counsel (3) Ms. Shweta Kapur Grower, (4) Shri Amandeep, Special Educator	Online
9.	The Principal, OPG World School, Dwarka Sector-19B, Delhi	(1) Shri Harsh Parekh (2) Ms Neha, Special Educator	Online
10.	The Principal, Delhi Public School, R.K. Puram, New Delhi	Ms. Rashmi Malhotra, Headmistress	Online
11.	The Principal, Bal Bharati Public School, Dwarka, Sector-12, Delhi	Ms. Suruchi Gandhi, Principal,	Online



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

12.	The Principal, Appejay School, Saket, Delhi	(1) Dr. Sujit Eric Masih, Principal (2) Shri Bharat Bhushan, General Manager (3) Shri Devesh Chauvia (Team)	Online
-----	---	--	--------

**RECORD OF PROCEEDINGS**

The Hon'ble Chief Commissioner for Persons with Disabilities (in short "CCPD") apprised that several complaints, representations, and suggestions have been received from the parents of divyang students and some of the divyang students from higher classes themselves have approached this Court about accessibility of building, books, websites, learning materials, playground; denial of admission; denial of reasonable accommodation; and absence of special educators etc. in the private schools of Delhi. Accordingly, it was decided to review the status in select private schools in the city, and a notice dated 12.01.2024 was issued against the 10 prominent private schools in Delhi on suo motu basis and the schools were asked to inform the status of implementation of sections 16 and 17 of the Rights of Persons with Disabilities Act, 2016 [in short "the Act"] and specifically furnish information regarding the following:

- Was any accessibility audit of the institution conducted? If yes, a copy of the report thereof;
- The total number of students of the institution and the number of children with disabilities therein;
- Number of applications for admission received from children with disabilities in the last 3 years, giving a break-up of the applications that were accepted and rejected; and
- The total number of special educators and sign language interpreters in the school.

2. At the very outset the Principal, Mount Carmel School questioned the jurisdiction of this Court to issue notices and issue summons to a private and unaided minority school for appearing before this particular Court. He submitted that the school functions under the Directorate of Education, Government of National Capital Territory of Delhi [GNCTD] under the Delhi School Education Act, 1973, and the rules thereunder. Therefore, he requested to clarify the jurisdiction of this Court.

3. The CCPD apprised that it is a fact that the schools in Delhi are licensed by the Directorate of Education, GNCTD. However, all laws passed by the Indian Parliament are applicable to everyone in the country. So, the Act which was passed in the year 2016 is also applicable to every establishment as well as schools in the country and the jurisdiction of this



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

Court can be seen in Sections 75, 76, and 77 of the RPwD Act, 2016 under which the notices were issued. Schools that are recognized by the government, even if unaided are also covered within the applicability of the Act and this Court is acting as per its mandate to monitor implementation of the Act. The CCPD further clarified that these proceedings, to begin with, are being conducted in a collaborative and not in an adversarial approach. Hence, the tone and tenor of the representative from the Mount Carmel School was not appropriate.

4. The CCPD further apprised that the Department of School Education & Literacy, Ministry of Education [DoSEL] as well as different directorates of education has passed harmonized guidelines in compliance with the Act and the rules thereunder which are too applicable to everyone in the country being a part of the law. For example, if a ramp is required under the Act, it is equally applicable to a private restaurant and/or a private school.

5. The CCPD advised the DoSEL and the Directorate of Education, GNCTD to issue more strict guidelines so that the interest of children with special needs remains protected, otherwise many private schools would continue to defy the laws of the Parliament. Hon'ble Supreme Court has already held that special educators are required in every school for students with special needs.

6. In this hearing reputed schools of Delhi are participating and they have to comply with the mandate of the Act and the rules thereunder. These schools have to allow, and in fact, encourage, divyang students into science subjects as well as games & sports and other curricular activities. Luckily, amongst these schools, a few already have counselors to counsel parents, the divyang as well as the non-divyang students so a more inclusive setup could be there. He specifically named the "Amar Jyoti School & Rehabilitation Centre" as a model school that has a share of divyang and non-divyang students in almost equal proportions.

7. The CCPD pointed out success stories of the divyang children who became achievers in their lives and made a positive contribution to the lives of other divyang children and told them that a very good teacher or a good principal can totally transform their lives. The number of such successfully achieved divyang children is quite high in the country, though there is little awareness about this. .

8. The Economic Advisor, DoSEL submitted that CBSE has already issued the guidelines, regarding the complaints as per the Act, to all the private schools that are under the CBSE Board. Similarly, there is an ICSE Board also and grievances are being received from the parents that admissions of divyang children are being denied in the private schools under both the aforesaid boards.

9. The Chief Commissioner invited the respondents to make their comments on the issues raised by the Court one by one. The gist of submissions is as under:



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

**9.1 Bal Bharati Public School:**

The Principal submitted that she was not aware of the basis of the complaint but theirs is a very inclusive school. All the guidelines given by CBSE are followed, also collaborated with the Special Olympics Bharat, competitions are organized, para-sports & games are there, ramps & lifts are there and admissions are never denied to divyang children, parents help groups have been formed and parents of divyang children meet after every 15 days to discuss strategies on how to make life easy for these children and how to help them in education. There is a lot of learning where the parents, transmit to each other and learn from each other. Special educators cater to them at every level. In one or two cases, there are shadow teachers because there are overactive and aggressive children who bite, or urinate in classrooms, and run to the lifts. In those aggressive cases, for the safety of the children, parents are requested to send an attendant because it is not possible for the teacher to attend to every child.. Regular training sessions for teachers are organized, and they are sensitized on how to deal with such children.

**9.2 St. Thomas School:**

The Counsel submitted that from the notice issued by this Court, there did not appear any particular complaint against the school. He appreciated that the Court wanted a cohesive effort from all the stakeholders, the schools, and the Department for Education of divyang children. He submitted that most of the schools are very concerned about the needs and requirements of divyang children, and with the help of the Education Department, the CBSE, and this Court, they are doing justice to the divyang children studying in these schools, whatever is required. As regards, the St. Thomas School, a thorough inspection has been done physically and everything has been written in the affidavit. The school has proper special educators having RCI certificates. Divyang students are provided the best facilities, even when they are not mandated to do so.

The Principal reiterated the submission made by their Ld. Counsel, and added that the school is in full compliance with the law, and does not encourage shadow teachers. Training and workshops are organized to keep the teachers, staff, and employees sensitized. Three special educators are there. Locomotor divyang students are also given training to participate in para-Olympics.

**9.3 Vasant Valley School:**

The Counsel said that the school has a multidisciplinary approach and believes that dignity is the foundation for all children with disability. There is a high proportion of qualified special educators i.e. 21 for a total of 73 divyang students out of a total of 1400 students which is more than 5%. Admission of divyang students is never rejected. Inclusive education is focused a lot. As apprised by this Court the school has divyang children from visual and locomotor categories, a lot of children have cerebral palsy, down syndrome, and autism. The school has an individualized education plan which has been developed in consultation with the parents or the guardians, and the subject teachers, and then the unique needs of each such child are addressed. Apart from that, there is obviously the physical infrastructure part



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

in terms of under educational part. Specialized learning materials, assistive devices, and technologies are there to meet the diverse needs of these students. A resource room is also there which serves as a space where all these students can receive individualized instructions and support. It's not just instructions but focuses a lot on support. There are assistants also who assist special educators to help assist the students. In the access audit, no major shortcomings are found. There are accessible corridors, accessible toilets, receptions, lifts, and ramps everywhere.

**9.4 Mount Carmel School:**

The Principal expressed his apology to this Court for the alleged rough start, however, he appreciated when he got clarified the purpose of this hearing and said if that purpose had been expressed very clearly from the beginning, he would have come much better prepared. The respondent schools appeared in the hearing through their advocates as a legal notice was sent by this Court to the respondent schools. He said that he is the Secretary of the Forum for Promotion of Quality Education in Delhi and the Forum had decided three years ago that very specific special educators would be hired to deal with the divyang students. The schools are lacking strong communication and counseling for parents who must be taught how to deal with their children back home. At a nursery KG level, it is very difficult for schools to have parents accept and acknowledge if their child has a disability that has not yet been identified. In Delhi, it is a universal human feeling that parents don't want to accept that their child might have a problem and they shy away from it in the early years. He expressed his belief that early identification is much needed and for which a comprehensive body needs to be set up that can work within schools to be able to be accessible, and a unified singular approach to a child can be diagnosed. Otherwise, a parent goes to different places and gets different faulty diagnoses for whatever purpose and ambition they may have. He assured of his best cooperation.

He further submitted that one of the top cricketers playing for the girls' team, Delhi under 19 blind cricket team, is a student of Mount Carmel. The national junior chess champion is also a student of Mount Carmel, and he is visually divyang. Specialization is being done in visually divyang children and hearing divyang, and facilities are being extended to these children. For a child with autism, efforts are being made to create a school close to the school so that the parents could be sent there and when they encounter a child with visual needs they would be able to send it to us. The CCPD said that while it might not be possible to say that only a particular school would take students with a certain type of disabilities, it is OK if the Mount Carmel School is specializing in visual impairment. He appreciated the fundamental idea and said that a solution can be identified collaboratively in some way.

**9.5 Apeejay School:**

Expressing his gratitude for the opportunity to benefit from this hearing for divyang children with special needs, the Principal said that the founder Chairman of the school, Dr. Satyapal himself was a divyang person and he had set up his ideology and the understanding right from the day one when the foundations of Apeejay education was laid. Special pre-concessions are given to divyang children with special provisions who are young.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

The school is part of all the best practices. Children with special needs have participated in the Special Olympics so that they become aware of the needs of these children and they can be handled and provided a better environment. The school is also in the process of creating a social awareness amongst the school community to create a lot of understanding for these children, providing them with a majority of the provisions that have been recommended by the Commission for different children, be it, autistic children, be it children with the locomotor disorder. He further submitted that a special program, which can be called the buddy program, is being run in their school where the children along with the teacher volunteer to help divyang children. These children right from the school gate accompany them to their classes and support them. Similarly, as far as education is concerned, the class work and the homework are concerned, and the children and volunteers are assigned duties where they happily sit with these children, support them, and handhold themselves.

**9.6 OPG World School:**

The representative for the school submitted that compliance has been made and all information has been submitted to this Court. The school has tactile paths, ramps, and other facilities/infrastructure, special educators, occupational therapists, counselors, and speech therapists. The school has children with learning disability and autism. The school has integrated with various ways of extracurricular like sports, dance, and movements. Teachers and students as well as the parents are sensitized.

**10. Education Department, Delhi:**

The representative expressed his thanks for being a part of this hearing. He ensured that all the government schools as well as the private schools have been issued directions that the schools should have all the facilities for inclusive education, and should be accessible in all respects so that the divyang children can be cared for.

**11. Observations & Recommendations:**

11.1 In the light of the facts narrated above and the version/views submitted by the representatives of the schools, the Court appreciated the schools that are accessible, have divyang-friendly infrastructure, and take care of the divyang students. The Court also appreciated the views submitted by the representatives of the schools who pointed out the difficulties being faced by the schools in caring for some of the divyang students. Suggestions received from some of the respondents to conduct more such interactions to be able to keep a close watch on the development and afford opportunities to learn from each other were welcomed by the Court, which expressed its intent to have the next round of the meeting sooner rather than later.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/14756/1032/2023**

**Dated: 29/08/2024**

12.2 The Court, however, also noted with due concern that all the information asked for through the suo-motu notice of this Court was not furnished by some of the schools. The Court advised the schools, to furnish the requisite information/documents within 15 days from the date of receipt of this Record of Proceedings.

12.3 The Department of School Education & Literacy, Ministry of Education; and the Education Department, Government of NCT of Delhi are also advised to issue necessary instructions to comply with the provisions under sections 16 and 17 of the Act as well as the Rule 15 of the Rights of Persons with Disabilities Rules, 2017 as amended from time to time. The ministry is also advised to issue guidelines on counseling of the parents on ways to address the needs of the children when they are at home.

13. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15001/1101/2023**

**Dated: 28/08/2024**

**Case No. 15001/1101/2023**

**In the matter of —**

Suo-motu regarding non-availability of accessible products meant for persons with disabilities at the Government e-Market Place (GeM) Portal

**Versus**

(1) The Secretary,  
Department of Commerce,  
Ministry of Commerce & Industries  
Vaniya Bhawan,  
New Delhi – 110011  
Email: [csoffice@nic.in](mailto:csoffice@nic.in)

**... Respondent No.1**

(2) The Chief Executive Officer,  
Government e-Marketing (GeM)  
2nd Floor, Jeewan Tara Building,  
5, Sansad Marg, Near Patel Chowk,  
New Delhi – 110001  
Email: [ceo-gem@gov.in](mailto:ceo-gem@gov.in)

**... Respondent No.2**

**Hearing (I):**

A hearing was conducted on **09.08.2024** in hybrid mode (offline/online through video conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/ Representatives	Mode of Presence
<b>From Respondent No.1:</b>		
	None appeared	--
<b>From Respondent No.2:</b>		
1.	Shri Manoj Kumar, Dy. CEO, Government e-Marketing	Online



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15001/1101/2023**

**Dated: 28/08/2024**

2.	Shri Anuj, Director, Government e-Marketing	Online
----	--	--------

**RECORD OF PROCEEDINGS**

The Chief Commissioner for Persons with Disabilities [in short “CCPD”] at the very outset flagged the concerns that many items required by children and adults with disabilities are currently not available on the GeM Portal. Such items are required by government departments and institutions that also have a mandate towards persons with disabilities. The government purchases, therefore should also be disabled friendly.

2. The Court observed that various departments and ministries have issued harmonized guidelines and universal designs on the issues within their allocation of business for ensuring equal opportunities and full participation of persons with disabilities. The DoPT, Government of India has issued Guidelines for providing certain facilities in respect of persons with disabilities who are already employed in Government for efficient performance of their duties vide their OM No. 36035/3/2013-Estt (Res) dated 31 March 2014, which has recently been, modified vide OM No. 36035/44/2023-Estt (Res-II) dated 02 February 2024. These instructions mandate the Ministries/Departments and their attached and subordinate offices, Central Public Sector Enterprises, Cantonment Board, etc. to assist the persons with disabilities by providing them high tech/latest technology-led assistive devices (including low vision aids, hearing aids with battery), special furniture, wheelchairs (motorized if required by the employee), software scanners, computer, and other hardware, etc. in accordance with their requirement, which would improve their efficiency.

3. The instructions further provide that the establishments should either provide or shall reimburse the cost of such devices within a specific time period for such devices to persons with disabilities in accordance with the price/durability of the special devices, special furniture, software, scanners, computer, and other hardware, etc. as fixed by them, in consultation with various National Institutes working in the sphere of disability. A review exercise shall be carried out by the Department/Ministries every three years to check the availability or need for the introduction of enhanced/upgraded versions of such devices/software etc. The establishments shall utilize their existing budget provisions for providing these facilities.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15001/1101/2023**

**Dated: 28/08/2024**

4. The GeM Portal, which is the go-to marketplace for all government procurement needs to play a more active role in ensuring the availability of all types of aids and appliances in universal designs. If such items are not available on the GeM Portal, it becomes very difficult for the government departments to procure it from elsewhere, given the current policy of the central government.

5. The CCPD also highlighted that today coding services are procured through the GeM Portal. The coders should have a fair idea of the accessibility of the software and other products. In fact, for any development of software or hardware, accessibility of the product should be an in-built component. Portable ramps can also be provided through the GeM portal. It is, therefore, imperative that awareness generation training programs and workshops are conducted by the GeM and NIC authorities.

6. Respondent No.2 submitted that the filters with respect to coding services available on the GeM Portal are very basic. It is for the buying organizations to prepare the detailed scope of work as per their organization's requirements. The CCPD, however, did not agree with this stipulation and stated that many departments and their IT officers may not be oriented properly toward the accessibility needs of the end users. It is, therefore, essential that accessibility features are made mandatory in all products and services that are being procured through the GeM Portal.

7. The Chief Commissioner also raised concerns about the availability of cochlear implants on the GeM Portal, saying that it is invasive surgical equipment and due caution is required in making such products available through an online portal. For example, he asked whether heart stents can also be sold through the GeM Portal. The respondent submitted that these items must have been onboarded at the request of indenting organizations. However, he assured me to look into the matter and get it reviewed.

8. The Chief Commissioner further highlighted that there are about 600 start-ups in the country that are working on assistive technologies. Some of them are quite big in size in terms of their operations. The CCPD office will be willing to organize training programs for them, where the respondent can guide them as to how their product and services can be onboarded on the GeM Portal. The respondent agreed to look into this.

9. The CCPD directed for impleadment of DG NIC in this case and also to organize a joint meeting with ALIMCO, certain IITs, the GeM authorities, particularly their medical category team, and the ICMR. The Chief Commissioner also directed to nominate three amicus curiae who are government employees with disabilities -one each from the VI and HI categories and one from the locomotor category who is a wheelchair user to assist the Court in the proceedings with their insights, experience, and feedback.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15001/1101/2023**

**Dated: 28/08/2024**

10. This is issued with the approval of the Chief Commissioner.

Copy to:

- (a) The Director General,  
National Informatics Centre (NIC),  
A-Block, CGO Complex,  
Lodhi Road, New Delhi - 110 003  
Email: [dg@nic.in](mailto:dg@nic.in)

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: [ccpd@nic.in](mailto:ccpd@nic.in)**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

**Case No. CCPD/15316/1032/24**

**In the matter of —**

Suo-motu cognizance regarding the status of guidelines of inclusive education and home schooling across the States/UTs

**Versus**

- (1) The Chief Secretary,  
All States, and Union Territories (As per list attached)  
For kind attention & response:  
The Principal Secretary,  
Education Department; and  
The Principal Secretary,  
Welfare/Social Welfare Departments,  
All States, and Union Territories

**... Respondent**

**No.1**

- (2) The Secretary,  
Department of School Education & Literacy,  
Ministry of Education,  
Room No. 124-C, Shastri Bhawan,  
New Delhi – 110001

Email: [secy.sel@nic.in](mailto:secy.sel@nic.in)

**... Respondent**

**No.2**

- (3) The Joint Secretary (Policy)  
Department of Empowerment of Persons with Disabilities,  
Ministry of Social Justice & Empowerment,  
Room No.527, B-III Wing,



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

Pt. Deendayal Antyodaya Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi – 110003

Email: [yrajeshk@ias.nic.in](mailto:yrajeshk@ias.nic.in)  
**No.3**

**... Respondent**

**Hearing (III):**

A 3<sup>rd</sup> joint hearing was conducted on **07.08.2024** online through video conferencing. The following parties/representatives were present during the hearing:

**RECORD OF PROCEEDINGS**

At the very outset, the Hon'ble Chief Commissioner for Persons with Disabilities [in short "CCPD"] apprised the parties/representatives of the background information of the cases that both the normal children and divyang children in inclusive schools are getting all the benefits of SSA and ADIP schemes. However, the children of the special schools in the states/UTs are deprived of the benefits of SSA and ADIP schemes mainly because the special schools are not attached to the Education Departments of the states/UTs.

2. The CCPD apprised the respondents that the Secretary, the Department of School Education & Literacy [DoSEL], Ministry of Education have immediately after the first hearing in these cases issued a circular to the Education Department of all states/UTs and clarified that the benefits of SSA and ADIP schemes must be given to the children studying in the special schools even if they are not attached to the Education Department of the states/UTs.

3. So, the Department of Empowerment of Persons with Disabilities (DEPWD), Ministry of Social Justice & Empowerment is expecting information regarding special schools and the children studying in all the special schools in the state/UTs irrespective of being run by private



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15316/1032/24

Dated: 22/08/2024

organizations, NGOs, etc. The requisite information is expected from the states/UTs in the prescribed format given below which has already been provided to the states/UTs.

**Format for furnishing information on special schools**

State/ Union Territory	District	Name of School	No. of Disabilities Catered for (single/ numerous)	Details of Disabilities (VI, HI, ID, LD, MD)	Address	Contact Person
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Mobile Number	Email ID	Types of School (Govt. Aided/ Private/NGO)	Board Affiliation (CBSE/State Board/Any other)	If any other board, please specify	Education imparted till which standard
(8)	(9)	(10)	(11)	(12)	(13)

4. The Court apprised that the absence of the requisite information makes the delivery of benefits of the schemes to the children studying in the special schools very difficult.

5. The Court directed the ALIMCO and ADIP Sections of the DEPWD to furnish the details of the number of camps organized by the DEPWD including the number of the schools, where such camps were organized. Further, all special schools are to be covered by the ADIP scheme in the coming six months, so the ALIMCO Section of DEPWD has to submit a



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

monthly report to this Court and if any state/UT is not co-operating with SSA funds, they will also report to DoSEL. In the Government of India, if the State Government refuses to give SSA funds to special schools despite the enabling order, their children should not be deprived of and the same could be funded 100% from the ADIP scheme and the book adjustment could be done later. But, the DoSEL should be informed immediately about the non-cooperation of the state concerned with a report to this Court so that responsibility could be fixed in the next hearing on the officers who are denying the ADIP scheme and SSA scheme to the divyang children studying in special schools.

6. Shri S.P. Sharma from DEPwD ALIMCO submitted that in compliance with the letter received from the Office of CCPD, a letter was issued from the Policy Section, ALIMCO to the Chief Secretaries of all States/UTs that the children studying in special schools are deprived of getting mid-day meals under SSA.

7. Shri S.K. Das from ALIMCO, Delhi submitted that once the DEPwD would provide a list of the special schools, the ALIMCO would cover the schools in their future camps and submit the report.

8. Advocate Puneet Yadav appearing on behalf of the Ministry of Women & Child Development submitted that he had filed an affidavit which may be taken on record. The Mid-day Meal, SSA, and ADIP schemes are not under the purview of the Ministry of Women & Child Development.

9. The Dy. Director, Social Justice & Empowerment, Gujarat submitted that there are a total of 98 special schools in Gujarat and all are under the Social Welfare Department. He assured that the complete information about the special schools in the state of Gujarat would be submitted in the prescribed format in the next hearing. In reply to a question, he said that there are 32 schools for children with visual impairment.





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

10. The SCPD, UT of Chandigarh submitted that being a newly appointee to the post of SCPD, she would not be able to contribute much to the discussion in today's hearing. However, she would be taking away valuable learning from it and would be furnishing any information sought by this Court in the prescribed format.

11. The Secretary, the Social Welfare & Social Education Department (SW&SE), Tripura submitted that there are three special schools in the state under the SW&SE Department. The representative was not able to confirm whether Brail Books had been handed over to the children with visual impairment in the special schools when the new academic session commenced and assured that complete information would be furnished in the prescribed format before the next hearing.

12. The Special Secretary, Basic Shiksha Vibhag, Govt of Uttar Pradesh submitted that there is no special school running under the Basic Shiksha Vibhag. The CCPD brought the attention of the representative from Uttar Pradesh, about this gap or lack of ownership towards the rights of the Children with Special Needs irrespective of whether they are from the Inclusive or the Special Schools, being the main reason for institutionalizing this suo motu case.

13. The Commissioner, Social Justice Department, Madhya Pradesh submitted that there are 18 special schools which are run by the Government, and 23 special schools which are run by NGOs. 1836 special children are studying in NGO-run special schools, and 1574 special children are studying in Government-run special schools. Grants are provided to all the special schools. The state has its own Braille Press. He assured that by the next week, Braille Books would be handed over to the children with visual impairments in the special schools.

14. After hearing the parties/representatives, the Court observed and directed as under:



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

14.1 The Court advised the ALIMCO representative to not wait for the list from the DEPwD prepare a full calendar of visits to the districts and submit a written report to this Court wherever the district machinery is not cooperating. The Court would then interact with the District Magistrate as well as the Education Officer of the concerned district directly.

14.2 The Court directed that the Ministry of Women & Child Development be dropped from the array of the respondents.

14.3 The Court directed all the states/UTs to ensure that the Brail Books have been handed over to the students with visual impairments in the special schools.

14.4 The Court directed the JS, DEPwD to ensure that there is no delay in funding of the Brail Press. And in case of further delay, a report be submitted to this Court after fixing the responsibility of the Director, Dy. Secretary, and the US concerned in the DEPwD who is looking after the Brail Press.

14.5 In the last hearing conducted on 18.06.2024, the Court had recommended as under vide Record of Proceedings dated 02.07.2024:

*“17.1 After hearing the representatives from the States and Union Territories, the Court expressed its appreciation for the timely positive intervention by the Education Ministry of the Central Government and also for the states and UTs for presenting their respective data regarding the special schools in their States and Union Territories. He was of the opinion that these suo-motu cases are likely to be very impactful intervention taken by this Court because this is going to impact lacks of children across the country, who did not have access to schemes, to aids & appliances, gadgets and other stuff. Education and Social Welfare ministries (or any other ministries dealing with the disabilities matters) in the states and UTs need to be working together for the welfare of the children with special needs. The Court is very hopeful that this collaboration will continue much beyond the duration of these proceedings.*



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

17.2 The Court was also hopeful that all States and Union Territories would soon furnish the data within 15 days in the format already received by them along with the following:

- (i) To ensure that all NGOs who are running special schools are registered with the National Trust if they are eligible for Registration;
- (ii) To ensure that all the children with special needs and children with disabilities are having UDID Card;
- (iii) To ensure that all the special schools irrespective of being run by governments/NGOs/private are getting the facilities being provided under DDERS and DDRC schemes.”

14.6 The JS & FA be impleaded and notified to be present in future hearings in this case.

15. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No.** CCPD/15404/1092/24

**Dated:** 28/08/2024

**In the matter of —**

Suo-motu

**Versus**

(1) The Chief Executive Officer, NSDC &  
Managing Director, NSDC International,  
National Skill Development Corporation,  
Ministry of Skill Development and Entrepreneurship,  
Kaushal Bhawan, 5th-6th Floors,  
New Moti Bagh,  
New Delhi – 110023  
Email: [grievance@nsdcindia.org](mailto:grievance@nsdcindia.org) ... Respondent No.1

(2) The Chairperson,  
National Council for Vocational Education and Training,  
Ministry of Skill Development and Entrepreneurship,  
4th floor, Kaushal Bhawan,  
New Moti Bagh,  
New Delhi - 110023  
Email: [chairperson-ncvet@gov.in](mailto:chairperson-ncvet@gov.in) ... Respondent No.2

(3) The Secretary,  
Ministry of Skill Development and Entrepreneurship,  
Room No. 301, Kaushal Bhawan,  
New Delhi-110023  
Email: [secy-msde@nic.in](mailto:secy-msde@nic.in) ... Respondent No.3

**Hearing (I):**

A hearing was conducted on **09.08.2024** in hybrid mode (Offline/Online through video conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/Representatives for Respondents	Mode of Presence
<b>From Respondent No.1:</b>		
1.	Advocate Ipshita, Counsel	Online
2.	Ms. Swati, NSDC	Online



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No.** CCPD/15404/1092/24

**Dated:** 28/08/2024

3.	Mr. Ajay Kumar Raina, Director	Online
<b>From Respondent No.2:</b>		
1.	Col. Santosh, Director, NCVET	Online
<b>From Respondent No.3:</b>		
	None appeared	---

At the outside, the Chief Commissioner for Persons with Disabilities [in short “CCPD”] expressed his displeasure over the absence of a representative from the Ministry of Skill Development, the Respondent No. 3 in this matter. The CCPD opened the discussion by saying that there is 5% reservation for persons with disabilities in the higher education courses as per Section 32 of the Rights of Persons with Disabilities Act, 2016 [in short “the Act”]. All the institutions of higher education, including the IITs and the IIMs and the top central universities are implementing the 5% reservation for persons with Benchmark Disabilities [PwBD] in their courses. However, in the skill development courses, the reservation of 5% has still not been implemented. Though there are no sub quota, within the reservation for PwBD in higher education, as is provided in the case of reservation in appointments, it has been seen that the higher education institutions and their administrative ministries have still made certain conditions whereby persons with a particular disability is not considered appropriate for a particular course. For example, the visually impaired students are not encouraged to take up STEM courses or the engineering and medical courses. It is imperative that the skill development courses are opened up for such students.

2. The CCPD further stated that NSDC has a lot of tie-up with private sector. Similarly, NCVET has lots of assessment bodies. However, only few states like Tamil Nadu has done some work on inclusive education at the ITIs. The Department of Empowerment of Persons with Disabilities [DEPWD] has been writing to the Ministry of Skill Development and the NCVET and NSDC, but the efforts have not been responded to with the due seriousness. It has, therefore, become necessary for the CCPD to intervene in this. The respondents may state how many students and teachers with disabilities are available in a skill sector, and what action is being taken to ensure the representation of persons with disabilities in adequate measures.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15404/1092/24**

**Dated: 28/08/2024**

3. The representative for the NCVET submitted that all courses run by NCVET have been opened for all types of PwBD. There are 66 assessment agencies with a cap on the total number of awarding bodies that can be on boarded. However, for the Skill Council for PwD (SCPwD), all agencies are open. The CCPD pointed out that his concerns were not limited to the special courses designed for persons with disabilities, but he was equally concerned about the intake of the PwBD in regular courses. The representative of the NCVET agreed with the observation of the court and submitted that he will inform the percentage of PWD trainees to the CCPD in writing.

4. The representative of Respondent No. 1 referred to their written reply, where in the data regarding the intake in SCPwD was shared. The CCPD reiterated that his concerns are more about the share of persons who disabilities in the regular courses and whether the quota of 5% have been allowed for PwBD in all such courses or not. The CCPD was of the view that the role of Ministry of Skill Development is of critical importance in ensuring that the skill courses are made inclusive.

5. The CCPD concluded the hearing with the suggestions to the respondents that in all programmes, whether CSR, whether government paid, whether RPL etc., the efforts should be there to include at least 5% PwBD and that too from all categories. In some programme there may be less than 5% but in some programme, there may be more than 5% PwBDs, so the number of PwBDs needs to be monitored, otherwise it would never get done.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No.** CCPD/15417/1040/24

**Dated:** 28/08/2024

In the matter of —

Suo-motu

**Versus**

(1) The Secretary,  
Union Public Service Commission,  
Shahjahan Road,  
New Delhi - 110069  
Email: [secyoffice-upsc@gov.in](mailto:secyoffice-upsc@gov.in); [Dsea-upsc@gov.in](mailto:Dsea-upsc@gov.in)

**... Respondent No.1**

(2) The Centre Superintendent,  
UPSC Exam Centre/The Principal,  
Balamandiram Higher Secondary School,  
Old Natham Road,  
Viswanathapuram,  
Madurai – 625014 (Tamil Nadu)  
Email: [balamandiramhss@gmail.com](mailto:balamandiramhss@gmail.com)  
Phone: [0452 - 4382099](tel:0452-4382099)

**... Respondent No.2**

**Hearing (I):**

A hearing was conducted on **09.08.2024** in hybrid mode (offline/online through video conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/Representatives of Respondents	Mode of Presence
<b>From Respondent No.1:</b>		
1.	Shri Sanjeev Tapliyal, Under Secretary	Online
2.	Ms Kiran Arora, Under Secretary (Exam Branch)	Online
<b>From Respondent No.2:</b>		



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15417/1040/24**

**Dated: 28/08/2024**

1.	Ms Kalaivani, Senior Clerk	Online
----	----------------------------	--------

**RECORD OF PROCEEDINGS**

At the outset the Chief Commissioner for Persons with Disabilities [in short “CCPD”] expressed his disappointment and a sense of deep anguish within the divyang community, which went viral on various social media platforms over the news report that the divyang candidates were harassed, humiliated and not provided reasonable accommodation at the exam centre at Balamandiram Higher Secondary School, Old Natham Road, Viswanathapuram, Madurai (Tamil Nadu) where the UPSC had conducted the exam. From the report submitted by the UPSC, it appears that nothing of the sort reported in the print and social media had actually happened.

2. The Court sought to know –

- (i) Whether the UPSC and the District Authority had tried to talk and cross-check with the reporter of the Daily Newspaper the Hiindu to find out their version of the story and
- (ii) Whether the 06 divyang candidates reported to be affected and whose contact details must be available with the UPSC were also contacted for their versions.
- (iii) Whether the Respondent took any action against the newspaper to restore the confidence of the Divyang Community, if nothing wrong was done at the examination centre.
- (iv) Whether the Respondent had issued any advisory to the Superintendent of the examination centre before the conduct of the examination.

3. The representative from UPSC submitted that no such enquiry was made, however, the instructions for conducting the exam were issued to the examination centre.

4. The Respondent was directed to submit a report on the issues raised in para 2 above within 15 days of this communication.

5. This is issued with the approval of the CCPD.





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15417/1040/24**

**Dated: 28/08/2024**

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15418/1101/24**

**Dated: 29/08/2024**

**Case No. 15418/1101/2024**

**In the matter of —**

Suo-Motu cognizance regarding the inaccessibility of monuments for Persons with reduced mobility and/or for wheelchair users

**Versus**

(1) The Secretary  
Ministry of Culture  
502-C Wing, Shastri Bhawan,  
New Delhi -110001  
Email: [secy-culture@nic.in](mailto:secy-culture@nic.in)

**...Respondent No.**

**1**

(2) The Director General  
Archaeological Survey of India,  
Dharohar Bhawan, 24, Tilak Marg,  
New Delhi 110001  
Phone: 011-23004696  
Email: [dg.asi@gov.in](mailto:dg.asi@gov.in); [adoptaheritage.asi@gov.in](mailto:adoptaheritage.asi@gov.in)

**...Respondent No. 2**

**Hearing (I):**

A hearing was conducted on **09.08.2024** in hybrid mode (offline/online through video conferencing). The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties/ Representatives	Mode of Presence
<b>From Respondent No.1:</b>		
1.	Shri Arvind Kumar, Director	Online
<b>From Respondent No.2:</b>		



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15418/1101/24**

**Dated: 29/08/2024**

1.	Mr. Julfiqar Ali, Director (Monument)	Online
----	--	--------

**RECORD OF PROCEEDINGS**

The Chief Commissioner for Persons with Disabilities [in short “CCPD”] at the very outset apprised that a suo-motu cognizance was taken of a news item published in the daily newspaper, The Times of India regarding the inaccessibility of the world heritage site the Isa Khan Tomb for persons with reduced mobility and/or wheelchair users. According to the news item, the ibid tomb has no ramp, and the entrance gate is hindered due to which the wheelchair user cannot access the tomb. The CCPD expressed his concerns about the lack of accessibility at the heritage monuments and historical places despite the statutory provisions and harmonized guidelines being notified by the Government. The Court exhorted the Ministry of Culture and the Archaeological Survey of India (ASI) to speed up their work in this regard.

2. The CCPD was also unhappy about the fact that no written reply/comments to the notices and reminders issued by this by this Court, were received from either of the respondents.

3. The CCPD further apprised the respondents of some key points regarding making the heritage places accessible:

- (i) In most places, wheelchairs are not accessible and wheelchair users have to remain away from visiting the site under compulsion. At the protected monument, they face many difficulties due to the lack of ramps and lifts.
- (ii) For hearing divyang persons, the information about the heritages should be available in sign languages under a QR code, so that they can scan and know about that place and monuments.
- (iii) For visual divyang persons, the information about the heritages and other things should be available in Braille and in embossed/debossed images.
- (iv) For visiting the heritage places for which there is a provision for online and/or e-booking, the websites/app should be fully accessible for all categories of divyang persons. If there is a Captcha in the webpage, the same should also be accessible for divyang persons more particularly for the visually divyang persons.

4. The Director (Monument), ASI submitted that whatever the new amenities/facilities such as pathways, toilets, drinking water, parking, etc. are being developed, all efforts are made to make these things accessible and barrier-free for divyang persons. In the instant



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15418/1101/24**

**Dated: 29/08/2024**

case, the tender has been invited to make the monument accessible.

5. The Director, appearing on behalf of the Ministry of Culture submitted that at the time of the G20 Summit, wherever the Ministry of Culture organized its program, arrangements had been made for providing wheelchairs to divyang visitors. Efforts are also being made to provide information in Braille to the hearing divyang persons.

6. After hearing the parties and in view of the key points mentioned above, the CCPD directed the respondents to submit their written response along with an action plan within 10 days from the date of receipt of this Record of Proceedings.

7. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15449/1141/24

Dated: 20/08/2024

**Case No. 15449/1141/2024**

**In the matter of —**

**Suo-motu cognizance regarding in the functioning of the Central Government Schemes namely, Deendayal Divyangjan Rehabilitation Scheme (DDRS) and the District Disability Rehabilitation Centre (DDRC) by the States and Union Territories**

**Versus**

- (1) The Head of the Departments  
(Special Chief Secretary /Addl. Chief Secretary  
The Principal Secretary/Secretary),  
Department /Ministry concerned with Disability matters  
Through: The Chief Secretary of the States and Union Territories  
Email: [chiefsecretaries@ismgr.nic.in](mailto:chiefsecretaries@ismgr.nic.in) ...

**Respondent No. 1**

- (2) Department of Empowerment of Persons with Disabilities,  
Ministry of Social Justice & Empowerment,  
Through Shri Rajeev Sharma, Joint Secretary  
Room No.527, B-III Wing,  
Pt. Deendayal Antyodaya Bhawan,  
CGO Complex, Lodhi Road, New Delhi – 110003  
Email: [wb113@ifs.nic.in](mailto:wb113@ifs.nic.in); [Secretaryda-msje@nic.in](mailto:Secretaryda-msje@nic.in). ...

**Respondent No. 2**

- (3) Department of Expenditure,  
Ministry of Finance,  
The Additional Secretary  
Room No. 39-A, North Block,  
New Delhi- 110001  
Email: [jspfs-doe@gov.in](mailto:jspfs-doe@gov.in) ...

**Respondent No. 3**

- (4) The Joint Secretary & Financial Adviser,  
Ministry of Social Justice and Empowerment,



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15449/1141/24

Dated: 20/08/2024

Department of Empowerment of Persons with Disabilities  
(Divyangjan),  
[Ms. Debolina Thakur, JS & FA]  
Room No. 616, A-Wing, Shastri Bhawan,  
New Delhi- 110001  
Email: [thakurd@cag.gov.in](mailto:thakurd@cag.gov.in) ...

**Respondent No. 4**

**Hearing (I):**

A hearing was conducted on **07.08.2024** in hybrid mode  
(Offline/Online through video conferencing).

**The following were present during the hearing:**

Sl. No.	Name of the Respondent	Name & Designation of the Party/ Representative appeared in the hearing
1	Chandigarh (UT)	Ms. Madhavi Kataria, SCPD
2	Chhattisgarh	Shri Bhuvnesh Yadav, SCPD
3	Goa	(1) Shri Guruprasad Pawaskar, SCPD, Goa (2) Shri Taha Idrees Haaziq, Secretary (3) Ms Varsha Naik, Director, DePwD
4	Manipur	(1) Shri Uttam, Director, Social Welfare Department (2) Shri W. Birahari Singh, SCPD



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15449/1141/24

Dated: 20/08/2024

Sl. No.	Name of the Respondent	Name & Designation of the Party/ Representative appeared in the hearing
5	Tripura	Sri Achintam Kilikdar, Dy. SCPD
6	Department of Empowerment of Persons with Disabilities (DEPwD)	(1) Shri Rajeev Sharma, Joint Secretary Email: <a href="mailto:wb113@ifs.nic.in">wb113@ifs.nic.in</a> (2) Dr. Honnareddy N., Director & Incharge DDRS Email: <a href="mailto:honnareddy.n@gov.in">honnareddy.n@gov.in</a>
7	Joint Secretary & Financial Adviser, DEPwD/MSJE	Ms. Debolina Thakur, JS & FA Email: <a href="mailto:thakurd@cag.gov.in">thakurd@cag.gov.in</a>
8	Rehabilitation Council of India	Lt. Col. Vikas Trivedi, Member Secretary

**RECORD OF PROCEEDINGS**

At the very outset, the Chief Commissioner for Persons with Disabilities [in short “the CCPD”] listed the following issues as critical to the successful implementation of the DDRS and the DDRC schemes of the DEPwD and called for their serious consideration by the respondents:

- (a) A clear understanding of the objectives of the DDRS and DDRC Schemes.
- (b) Clearly defined parameters for assessment of the performance of the staff and professionals, and for evaluation of the overall efficacy of the institution running these schemes in a given location. To clarify it further, the CCPD cited as an example, that for the performance evaluation of a Psychologist, the suggested parameters could be (i)



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15449/1141/24**

**Dated: 20/08/2024**

How many patients were treated in the OPD? (ii) How many of them purchased the medicines and followed the treatment? (iii) How many benefited from the treatment? (iv) How many of them returned for a follow-up, (v) How many of them returned with a complaint that there has been no improvement in their ailment despite following the treatment?

(c) Linking the manpower procurement planning with the actual demand of the professionals on the grounds. Such as whether to hire them on a whole-time basis or part-time basis or on Call basis or creating a cluster of such NGOs where full-time professionals are not required so that the resources can be pooled among the participating NGOs.

(d) Linkage of remuneration to be paid to the staff with their performance. Also ensuring that staff of DDRS/DDRC is used only for activities directly related to divyang welfare, and the staff is not used for clerical work in the district offices.

(e) This court has observed that the salary of many staff members of these NGOs, including the professionals recognized and registered with the Rehabilitation Council of India (RCI) is not even as per the prevailing minimum wages. This court wanted to know the stand of the Department of Expenditure and the IFD about the legality and permissibility of payment of wages to the staff or professionals engaged in a government scheme, such as the DDRS and DDRC at a rate lower than the minimum wages. The court also wanted to know whether contractual staff of other organisations in the State is also being paid below Minimum wages.

(f) Though, the DDRS and the DDRC are fully funded by the central government, nothing stops the DEPWD from encouraging CSR funding and top up from the state governments to bridge the gap between the actual payment and the minimum wages.

(g) The court further noted that many complaints come to the CCPD, citing the insistence of the district-level officials of the state governments on submissions of copies of documents in physical





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15449/1141/24**

**Dated: 20/08/2024**

forms. Such requisitions are completely unnecessary and avoidable, given the fact that the schemes are run through an online portal, namely the e-Anudaan Portal. This is one of the main reasons for the delay in processing the cases. The court desired to know whether the DEPWD has taken up with the concerned chief secretaries to conduct an inquiry to fix responsibility and punish the erring officials.

2. At this stage, the CCPD desired to hear from the respondents. The gist of submissions made by the parties are compiled as under:

(a) **Karnataka:**

The SCPD, Karnataka submitted that there are a total of 17 DDRCs, running at present in Karnataka, which are fully funded by the state government. He also submitted that a case is being taken up with the Central Government for sponsoring an additional 13 DDRCs.

(b) **Manipur:**

At present, out of the 4 DDRCs in the state of Manipur, 3 are functional while the fourth one was closed down for not working properly. A proposal has been submitted to have one DDRC in all 16 districts of the state under the supervision of the District Collectors. There are 24 DDRCs in the state which are functioning properly. These DDRCs and DDRCs are being monitored by the District Social Welfare Officer.

(c) **Goa:**

The SCPD Goa submitted that the state of DDRCs is not very good in their state. However, the Divyasha Kendras are doing well. He was of the opinion that due to the nature of instant service delivery at these kendras itself, they are more efficacious than the DDRCs, which works in a camp-based approach. He further submitted that the only disadvantage at the Divyasha Kendra vis-a-vis the DDRCs is that the Kendras do not have the Psychologist at present.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15449/1141/24**

**Dated: 20/08/2024**

**(d) Joint Secretary & Financial Adviser (DEPWD):**

The JS & FA submitted that there is no delay in processing any file at the IFD, as it is being monitored on a day-to-day basis. On a query by the CCPD whether an inspection report is being insisted on in every case, she replied that it is neither feasible to conduct inspections in every case, nor is there any rule to do 100% physical inspection. If the scheme guidelines require an inspection, whether physical or virtual, before processing the payment, that is a call the PD needs to take. The IFD goes by the satisfaction and the recommendation of the PD concerned. She also made it clear that wages, lower than the prescribed minimum wages cannot be paid to any staff.

3. Upon hearing the parties, the CCPD made the following observations and directions:

(a) It has been observed that the e-Anudaan Portal has been non-functional for over three months recently. NIC and DEPwD are to furnish their action taken report in this matter including fixing of accountability for this.

(b) The NIC also need to clarify whether the portal is fully accessible to persons with any type of disability and whether any Access Audit of the portal has been conducted by an authorized auditor. If yes, a report of the Access Audit be shared within 7 days and if no, a firm commitment from the DG NIC, to get it done by 15<sup>th</sup> September 2024 be shared with this Court.

(c) The DG NIC be impleaded in the matter and notice be issued to him to be present in the next hearing.

(d) The Court expressed its concerns over the absence of any senior officer from the Department of Expenditure and directed that special efforts be made to ensure that the department is represented by an officer of appropriate seniority.

(e) The Director, in-charge of the DDRS in the DEPwD to make a two-member team comprising of a section officer from the ministry and



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15449/1141/24**

**Dated: 20/08/2024**

one from the CPMU to study the functioning of the schemes in at least two states such as Karnataka where it is fully funded by the state government. The team shall study the rules and norms of the scheme, the services being offered by them, the total number of beneficiaries, the funding mechanism, their timeliness in the delivery of services and payment of wages, their output parameters, and whether the payment of wages is linked with the actual performance. The team shall submit its report within two weeks from the issue of these Record of Proceedings

(f) There are 250 special schools running under the DDRS scheme in the entire country, and almost half of them are affiliated with RCI. The Member Secretary, RCU, and the Director, DDRS need to jointly chalk out a tighter monitoring SoP to ensure the proper functioning of these schools including the maintenance of the prescribed student-to-teacher ratio.

(g) The Court directed the Member Secretary, RCI draw out a plan for a period up to 31<sup>st</sup> March 2025 to organize five-day residential training programs for teachers engaged in TTIs and the special schools affiliated with RCI so as to cover a minimum of 500 such teachers. The said training calendar be submitted within one week from the date of issue of this Record of Proceedings.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15449/1141/24**

**Dated: 20/08/2024**

(h) Finally, Complaints have also been received where it has been highlighted that in response to a proposal of an NGO for say an amount of X, only an amount of Y is sanctioned and even in that some amount is cut against non-submission of UC, etc. with respect to a previous grant and only an amount of Z is passed. The NGO is not informed of the reasons for the reduction in the grant or about the steps to be taken by them to get the remaining funds released. The CCPD directed that wherever such deductions take place a calculation sheet should be shared with the concerned NGO giving the breakups and the reasons for such reduction, the steps to be taken, and the timelines. Such sheets to be prepared in respect of all cases in the last two years, where the reasons have not yet been informed to the NGOs.

(i) The CCPD informed that since many states were not represented in this hearing, another hearing will be fixed in due course.

4. This is issued with the approval of the Chief Commissioner.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



## न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)  
दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)  
सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment  
भारत सरकार/Government of India

5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075 दूरभाष : (011) 20892364  
5<sup>th</sup> Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364  
Email: ccpd@nic.in; Website: www.ccdisabilities.nic.in

**Case No. CCPD/15519/1101/2024 &  
Case No. CCPD/15530/1101/2024**

**In the matter of —**

**Suo-motu cognizance regarding inaccessibility of websites, mobile applications and other digital platforms of ministries/departments of Government of India and private establishments in the country**

**Versus**

**Case No. 15519/1101/2024: Government Establishments**

- (1) The Secretaries  
All Ministries/Departments  
Government of India ... Respondent No.1
- (2) The Director General,  
National Informatics Centre (NIC),  
A-Block, CGO Complex,  
Lodhi Road,  
New Delhi - 110 003  
Email: dg@nic.in ... Respondent No.2

**Case No. 15530/1101/2024: Private Establishments**

- (01) The Secretary (CA),  
Department of Consumer Affairs,  
Ministry of Consumer Affairs, Food & Public Distribution,  
Room No. 49, Krishi Bhawan,  
New Delhi – 110001  
Email: secy-ca@nic.in ... Respondent No.1
- (02) The Secretary,  
Ministry of Electronics & Information Technology,  
Electronics Niketan,  
6, CGO Complex, Lodhi Road,  
New Delhi – 110003

- Email: secretary@meity.gov.in **... Respondent No.2**
- (03) The Secretary,  
Ministry of Information & Broadcasting,  
Room No.655-A, Shastri Bhawan,  
New Delhi – 110001  
Email: secy.inb@nic.in **... Respondent No.3**
- (04) The Secretary,  
Department of Promotion of Industry & Internal Trade,  
M/o Commerce & Industry,  
Room No. 223, Vanijya Bhawan,  
New Delhi – 110001  
Email: secy-ipp@nic.in **... Respondent No.4**
- (05) The Secretary & Chairman (DCC),  
Department of Telecommunications,  
Ministry of Communications,  
Room No.210, Sanchar Bhawan,  
Rafi Marg, New Delhi – 110001  
Email: secy-dot@nic.in **... Respondent No.5**
- (06) The Director/Chief Executive Officer  
Reliance Jio Infocom Limited (Set-Top Boxes)  
Office -101, Saffron Nr. Centre Point,  
Panchwati 5 Rasta, Amba wadi,  
Ahmedabad-380006 (Gujarat)  
Email: jyoti.jain@ril.com **... Respondent No.6**
- (07) The Director/Chief Executive Officer  
Bharti Airtel Limited (Set-Top Boxes)  
Bharti Crescent,  
1, Nelson Mandela Marg, Vasant Kunj,  
Phase - II, New Delhi - 110070  
And/Or  
Airtel Center, Polot No.16,  
Udyog Vihar, Phase-IV,  
Gurugram – 122015 (Haryana)  
Email: compliance.officer@bharti.in **... Respondent No.7**
- (08) The Director/Chief Executive Officer  
Porter Drive Solutions Private Limited  
S.No.13, Plot No. 17,  
Santosh Nagar, Santosh Marriage Hall,  
Thergaon, Pune-411033 (Maharashtra)  
Email: rajeev@porterindia.com **... Respondent No.8**
- (09) The Director/Chief Executive Officer  
Dunjo Digital Private Limited,  
1st Floor, Saideep Srinidhi,  
No. 2, Ward No. 73,  
NAL Wind Tunnel Road,

Murugeshapalya  
Bangalore-560017 (Karnataka)  
Email: kabeer@dunzo.in

... Respondent No.9

- (10) The Director/Chief Executive Officer  
The Indian Express Private Limited  
7th Floor, Mafatlal Centre,  
Ramnath Goenka Marg, Nariman Point,  
Mumbai - 400021 (Maharashtra)  
Email: monika.bansal@expressindia.com

... Respondent No.10

- (11) The Director/Chief Executive Officer  
Zerodha Broking Limited  
153/154, 4th Cross, 4th Phase,  
Dollars Colony, Opposite Clarence School,  
J.P Nagar, Bangalore-560078 (Karnataka)  
Email: audit@zerodha.com

... Respondent No.11

### Hearing (II):

A 2<sup>nd</sup> joint online hearing through video conferencing was conducted on **07.08.2024** for those respondents i.e. ministries/department, government establishments and private establishments who could not appear in the 1<sup>st</sup> hearing conducted on 16.07.2024. A list of the representatives who attended the hearings is attached herewith as **APPENDIX-JH2**.

### RECORD OF PROCEEDINGS

At the very outset, the Hon'ble Chief Commissioner for Persons with Disabilities [in short "CCPD"] informed that despite clear stipulation of the timelines, action taken report have not been received from most respondents. He apprised that non-submission of response sought under the Rights of Persons with Disabilities Act, 2016 [in short "the Act"] is a punishable offence within the meaning of Section 93 of the Act. As such, the respondents who failed to provide the requisite information are likely to be imposed fines from this Court.

2. The CCPD highlighted another concern, that is the "Aadhaar" which has become a requirement for availing almost all government services. It is supposed to be a very inclusive tool, where children, age-old people, homeless, destitute, orphans, people with oral cancer, people of third gender, people having problem with the iris machine and those who did not have fingers or fingerprints are not clear mostly in leprosy cases etc., have all been accommodated to get the Aadhaar. However, it is baffling to find that many persons with disability could not obtain Aadhaar despite all the circulars. Many of the PwDs who have got Aadhaar, are having problems with eKYC authentication mechanisms of UIDAI.

3. While the Court appreciated the fact that some of the respondents, mainly from the private sector have started reaching out to accessibility auditors and good feed backs are being received. But there are a number of participants both from government and private, who from the last hearing till today, do not appear to have moved a single bit, this is very concerning. Such organizations are advised to expedite the process.

#### 4. **Payment Systems:**

4.1 The CCPD flagged his concern about lack of adequate initiatives from the RBI and DFS on the issue of ensuring accessible digital payments. The payment system has gone practically cashless as even a vegetable seller has gone cashless and accepting online payments or QR/UPI based payments. This Court has received a complaint that on a petrol pump, a blind person was being insisted to give his PIN by the petrol pump vendor. But the blind person was denying to disclose his PIN and asked the vendor to bring another machine with keypad. Payment systems across the country need to be visually impaired friendly and the RBI and DFS people have to ensure this on priority. These things are having a major impact.

4.2 Further, e-kyc is becoming necessary at a number of places. Complaints are being received that people with visual impairment are not able to obtain SIM Card because it requires a blink of the eye and e-kyc is needed even for a private SIM Card. This is extremely bad if true. Similarly, biometric attendance requires face recognition, and the face recognition app is being used for e-kyc and EPFO by pension purpose and at lots of other places, and persons with visual impairment are facing problems there. It is important that UIDAI issues alternative mechanism. So e-governance is good, but if e-governance excludes certain people, then it is very bad implementation.

4.3 Similarly, in transport – taxi services like Ola & Uber, Railways, state transport buses, railways, etc. and its payment systems, which affects almost every person with disabilities in the country. The websites and Apps as well as payment system on these or counter payments for these services need to be accessible.

#### 5. **Submissions from the Respondents:**

5.1 The Ld. Counsel **Advocate P.S. Singh, Government Standing Counsel** submitted that on the last hearing, he had consulted NIC and MeitY and requested them to grant 3 months' more time for all ministries/departments to make it possible.

5.2 The Court apprised that the Act was passed in the year 2016 by the Parliament after the Cabinet approval. We should not give a long rope to the officers to basically play with the Act passed by the Parliament. It is quite disconcerting if any ministry/department says that they still need three months' time. The Act was passed eight years ago, and all ministries/departments should take action against the officers who are not moving to implement the Act in letter & spirit.

5.3 The Assistant Manager (Legal), RO, Delhi **UIDAI** submitted that he along with the Knowledge Management Division had attended the last hearing. As directed by this Court, the compliance report would be filed by 31.08.2024. The relevant M-Aadhaar is being carried out by the concerned division. As regards the face recognition and e-kyc being used by the private organizations for issue a Sim Card to persons with visual impairments, a submission has already been filed in another case and the matter is already going on. If the face authentication is not working there are other ways to get it authentication done through Aadhaar. Regular camps are being organized from time to time. In reply to a question, the representative assured to pass the instruction to furnish before this Court the details of persons with blindness and having no fingers who got enrolled for Aadhaar in the last one year.

5.4 The Court apprised that complaints are being received that Aadhaar enrolment operators discourage and banish the persons with low vision, blindness, leprosy cured



and having no fingers. So, UIDAI need to sensitize those operators and submit the report that in the last one year how many sensitivity training programs were organized by UIDAI authorities, what were the module of that training and how many operators attended that training, and those operators who did not attend the training program, what is the remedy for that.

5.5 Advocate Amar Jain, the Complainant submitted that UIDAI needs to maintain alternative modes of authentication. Many service provider including the National Scholarship Portal had face authentication sometimes back. Now, if the service provider does not use alternative authentication mechanism, the persons with visual impairment would literally be deprived of the facilities. Secondly, despite filing the complaints in the cases of Mustafa Merchant and Sadaf Khan, the e-Aadhaar page still have a Captcha, which the people with blindness are not able to access and not able to download e-Aadhaar.

5.6 The Ld. Advocate further submitted about the online registration systems in hospitals where audio captcha has also been applied. The audio captcha is accessible through mouse but it is not detectable by the screen reader.

5.7 Dr. Niyati Joshi, Director, the representative from the **Department of Fisheries** and Shri Bhuwan Mishra, HoD, NIC submitted that the website of the Department of Fisheries has been found 80% accessible and is compliant for SQTC certification.

5.8 The Court observed that at the time issuing tenders/RFP, it should be clearly mentioned that the website would not signed off if it would not be 100% accessible. A direction may be issued to the GeM, NICSI, STQC, DG-NIC and MeitY that the website/App would not be signed off till it is not 100% accessible.

5.9 The Complainant, Advocate Amar Jain requested the representative of the Department of Fisheries to get the web access audited by a certified auditor of accessibility to find out the exact status of accessibility of the website. The representative of the Department of Fisheries affirmed the same.

5.10 Shri Arun Kumar, Under Secretary, submitted that the website of the **DFS** is under process for being STQC compliant.

5.11 Advocate Amar Jain, the Complainant submitted that the accessibility standards the Finance Ministry have been notified, but, the e-kyc and e-kyb services are not yet accessible. Secondly, on Point of Sale (PoS) machine, it simply says that the machine should be made accessible without compromising the security and without laying down any standards as to how that can be made accessible; and third on the bank notes there is nothing in the current guidelines that the Finance Ministry has notified. RBI has also not issued any guidelines with regard to accessibility compliance, despite the delegation from the Finance Ministry with regard to the powers to issue instructions on the accessibility. Lastly, the current standards only talk about the banks, but the large players of market are actually the non-financial companies, payment gateways, payment system participant which are the part of DPSS or Payment System Settlement Act which are not currently covered in the RBI guidelines.

5.12 Dr. Anil Aneja, the Nodal Officer, **University of Delhi** submitted that there was one issue i.e. the Captcha on the examination website which have now been removed.

A large number of persons with visual impairments and other faculty members are using the website, however, the University is very open to their suggestions whatever required. No complaint so far has been received from any faculty members and persons with visual impairment on any issue. In case of any complaint, the University is open to correct them. We are already complying the instructions issued by this Court. In reply to a question, Dr. Aneja said that the access audit of the website is going on and would submitted very soon.

5.13 Shri A.N. Neelkantan, the representative from **Reliance Industries** submitted that Jio Set up Box; Relianceril.com; Ajio-jiocinema, Viacom 18; and also Milkbasket are the Reliance retail outfits. There was some confusion regarding not attending the last hearing which was clarified by the DCC yesterday. Four venders have been shortlisted for access audit of these websites.

5.14 The Court appreciated the chain of Reliance as a whole and the number of employees with disabilities are increasing with a good feed-back from divyang community. Secondly, from deaf community on 'Disney Hotstar' cricket matches, the sign language window for commentary has really been appreciated across the country. However, there are a few points. One is about the e-kyc for facial recognition and eye blink requirement for activation of a SIM Card, which is problematic for the visually impaired people. The low vision and blind people cannot capture the eye blink for e-kyc, and they are feeling difficulties for getting that the SIM card. The Court advised the Reliance authorities to look into that aspect. The Court also invited the complainants Advocate Amar Jain and Advocate Rahul Bajaj if they had something to say anything on this issue.

5.15 Advocate Amar Jain said that while one is able to shop at the Reliance Retail e-commerce venture, it is not just important that a website of the platform be made accessible. It is equally important that a description of the product should be there. For example, the color etc of the fabric.

5.16 Shri Neelkantan again submitted that the team of Reliance is working on that because it is the only possible solution that is available in the AA guidelines. So, efforts are being made to see how that could be implemented.

5.17 Shri Rajesh K, Head Nodal Officer, **Flipkart**, said that it is something new for him and once he goes through the training and gets the information about the queries and issues, definitely he would try to solve the problems.

5.18 Shri Rahul, Legal Adviser, **Decathlon** submitted that he noted the points which would be communicated to their IT team. He assured that the development could be done and would remain more inclusive.

5.19 The representative appearing on behalf of the **Ministry of Textiles** told that the accessibility test score of the website is 84, it is GIGW compliant and have STQC certification. In reply to a question he said that he would inform JS (IT) to attend the coming training session of date.

5.20 Shri W.D. Singh, OSD from the **Ministry of External Affairs** asked the Court how to get the website access audited. The Court advised him that access auditors are available in the market and there are more than 600 IAAP certified access auditors are in the country who are doing audit of the websites.

5.21 The CCPD sought a response from the **Ministry of Electronics & Information Technology**. The Court apprised that there are 20 autonomous bodies under MeitY. No compliance report has been received so far about any of them. If the compliance is not filed by next week, all the heads of the establishments would be imposed a penalty for non-compliance. Therefore, MeitY is advised to issue advisory to all the heads of the establishments under them to make their respective websites at least 90% compliant. Dr. Kshitij Kushagra from the asked for two days more time to submit the requisite information.

5.22 Shri M.L. Meena from the **Ministry of Information & Broadcasting** submitted that the website of the Ministry has the STQC certification w.e.f. 11.04.2023 upto 2025. The CCPD observed that no guidelines has been issued by MIB. Social media is being used by almost all the ministries, however, it is not fully accessible. Some officers have been deployed by MIB to look after the PIB and the social media. So, a training session is required to be done by MIB which would increase awareness about accessibility.

5.23 **Advocate Rahul Bajaj, Complainant:**

The Complainant said that the Hon'ble Court had mentioned about the film accessibility guidelines as per that a grievance redressal committee has to be set up to which complaints can be made where films are released without accessibility features. But the theater license does not respond, and no committee has been set up yet and films are being released without having accessibility features.

**6. Observations & Recommendations:**

6.1 The CCPD advised the UIDAI to submit if Aadhaar has started taking any steps to really ensure that each and every divyang people in the country gets an Aadhaar.

The DEPWD has also made Aadhaar Number in almost all schemes a pre-requisite; a lots of state governments has also doing it; and if Aadhaar is not available with the applicants, it becomes an issue. From UIDAI people, the Court would like to know in writing within next seven days on these issues:

(i) What steps have been taken for ensuring that everyone regardless of whether they are like, age-old people, homeless, destitute, orphans, people with oral cancer, people of third gender, people problem with the iris machine and those who did not have hands or fingerprints are not clear mostly in leprosy cases etc.

(ii) What steps have been taken for those people with disabilities who have to go 200 kilo meter from home or district headquarters and/or to make multiple visits for getting Aadhaar which is very difficult for people with locomotor and other disabilities. So we would like to know an action plan for that from UIDAI.

(iii) The Court directed the UIDAI to make the e-Aadhaar Captcha accessible within the next week, and submit an action taken report without further delay.

6.2 Within the government servants, there is 4% reservation and we have got e-office usage growing very fast. We are getting complaints of e-office specially from people with visual impairments that things are difficult to use. NIC and DARPG should quickly resolve these issues.

6.3 Last time it has been mentioned that the Captcha is a roadblock in many websites. It is still not cleared. So give us a report of 99% compliance. If your first page

is preventing and there is a Captcha, then there is no point of having all other pages compliant if the Captcha becomes a road block. So, once again, the Court advised that by next week if it is still seen that the Captcha is not accessible to persons with visual impairments then a fine would be certainly imposed.

6.4 Payment systems are having a major impact across the country; and it needs to be divyang friendly more particularly visually impaired friendly. Therefore, the RBI and the DFS people have to ensure this on priority within 10 days from the date of receipt of this Record of Proceedings.

6.5 The Court observed that the RBI and National Payments Corporation of India (NPCI) have not issued the list of empaneled machines which can be used across the country. The NPCI should not allow any operator to join any Bharat Payment System unless the whole eco system is made accessible. The CCPD directed to implead NPCI also in this case. The Court accepted the request of Advocate Amar Jain that Visa and Master Cards be also impleaded as respondents in this case.

6.6 The RBI is advised to issue guidelines with regard to accessibility compliance within 10 days covering the non-financial companies, payment gateways, payment system participant which are the part of DPSS or Payment System Settlement Act which are not currently covered in the RBI guidelines.

6.7 The Court reiterated following observations and recommendations already issued in the Record of Proceedings dated 30.07.2024 for compliance of the respondents which reads as under:

*(a) The Court advised all the representatives appearing on behalf of their respective establishments that the respondents should make their websites/apps and other digital platforms fully accessible for persons with disabilities in terms of Rule 15, sub-rule (1), clause (c), item (i) and (iii) as amended vide MSJE Notification No. G.S.R.359(E).- dated 10 May, 2023 and comply with the Indian standards IS 17802 (Part 1), 2021 and IS 17802 (Part 2), 2022, published by the Bureau of Indian Standards vide notification numbers HQ-PUB013/1 12020-PUB- BIS(278), dated the 24<sup>th</sup> December, 2021 and HQ-PUB0131112020-PUB-B/S(358), dated the 4<sup>th</sup> May, 2022, respectively as amended from time to time. The establishments shall also get their websites/apps audited for digital accessibility compliance by an accessibility expert who holds certification from International Association of Accessibility Professionals, and the government establishments shall submit STQC certification. The establishments shall submit their compliance report indicating appointment of an accessibility auditor within four weeks from the date of issue of this Record of Proceedings else penalty will be imposed as envisaged under Section 89 of the Act. Further all the establishments shall provide their accessibility audit report along with timelines to resolve accessibility barriers by 30 November 2024. The Court decided to make available the accessibility audit report and timelines for resolving accessibility barriers through its website and to invite feedback from the public if any, which will be shared with the respective establishment for further action.*

*(b) The Court also observed that Ministry of Electronics and Information*

*Technology, through National Informatics Centre or Standardization Testing and Quality Certification office of the ministry should empanel digital accessibility auditors who are certified by International Association of Accessibility Professionals as Government of India does not have its own digital accessibility certification. The Court further observed that in case MEITY does not empanel such digital accessibility auditors then Department for Empowerment of Persons With Disabilities, Ministry of Social Justice and Empowerment may do the same similar to empanelment of accessibility auditors for physical infrastructure.*

*(c) The Court decided to hold another hearing for establishments who have not responded to the notice of this hearing nor submitted the comments / reply if any, and failing which a fine of ₹ 10,000 will be imposed on such establishments.*

*(d) The Court made it clear that non-compliance with the timelines indicated in this ROP will invite penal consequences under Section 89 of the Act for initial or subsequent violations as the case may be.*

7. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Signed by  
Praveen Prakash Ambashta  
Date: 23-08-2024 10:08:34  
(Praveen Prakash Ambashta)  
Dy. Chief Commissioner

#### APPENDIX-JH2

**Attendance Sheet**  
**of the respondents/representatives who appeared/non-appeared during the online joint hearing**  
**conducted on 07.08.2024 through video conferencing**

#### Suo-motu Case No. 15519/1101/2024 : Government Establishments

Sl. No.	Name of the Respondent	Name & Designation of the Representative
1.	<b>The Secretaries, All Ministries/ Departments, Government of India</b>	Advocate P.S. Singh, Government Standing Counsel
1.11	(i) Department of Telecommunications (Doorsanchar Vibhag)	Shri Arvind Kumar, Director (IT2)
	<b>Ministry of Defence (Raksha Mantralaya) —</b>	
1.18	(i) Department of Defence (Raksha Vibhag)	Shri Hemant Kumar Sharma Under Secretary (IT)
1.30	<b>Ministry of External Affairs (Videsh Mantralaya)</b>	Lt. Col. W.D. Singh OSD (eG&IT) Ms. Ankita Wakekar, US (XP), MEA
1.35	(v) Department of Financial Services (Vittiya Sewayen Vibhag)	Shri Arun Kumar, Under Secretary
	<b>Ministry of Fisheries, Animal Husbandry and Dairying (Matsyapalan, Pashupalan aur Dairy Mantralaya) —</b>	

1.37	(i)	Department of Fisheries (Matsyapalan Vibhag)	Dr. Niyati Joshi, Director, Department of Fisheries
1.38	(ii)	Department of Animal Husbandry and Dairying (Pashupalan aur Dairy Vibhag)	Dr. Badal Biswakarma, Director, Animal Husbandry  Shri Anil, Scientist-E (NIC)
1.49		<b>Ministry of Housing and Urban Affairs (Awasan aur Shahari Karya Mantralaya)</b>	Shri Jitendar Kumar Mehan, Director (Admn)
1.54	(i)	Department of Legal Affairs (Vidhi Karya Vibhag)	Ms. Haimanti Bhattacharya, Director  Ms. Pallavi, Assistant Director
1.68		<b>Ministry of Power (Vidyut Mantralaya)</b>	Shri Manish Mishra, Director (IT and Cyber Security)
		<b>Ministry of Science and Technology (Vigyan aur Praudyogiki Mantralaya)</b>	Dr. Rabindra Panigrahy Shri Rajiv Kumar, IC Division Shri Arun Kansal, DS Shri Sanjay Kerketta, Under Secretary Shri R.K. Prajapati
1.76		<b>Ministry of Skill Development &amp; Entrepreneurship (Kaushal Vikas aur Udyamshilta Mantralaya)</b>	Shri Jignesh Muchhadia, Assistant Director
1.80		<b>Ministry of Steel (Ispat Mantralaya)</b>	Shri Revati Raman, Under Secretary
1.81		<b>Ministry of Textiles (Vastra Mantralaya)</b>	Absent
1.82		<b>Ministry of Tourism (Paryatan Mantralaya)</b>	Shri B.H. Thanmawi Vaiphei Under Secretary
1.88		<b>Department of Space (Antariksh Vibhag)</b>	Dr. BHM Darukesha
2		National Informatics Centre (NIC)	Shri Bhuwan Mishra, HOD, dahd&F Ms. Priyanka Mishra, Shri N Natarajan, Scientist E, Shri Shri AK Jose Director, Shri Sanjay Pandey, HoD & DDG , Ms. Beena Menon, STD Ms. Monika Singh (Director, ICT), Shri AK Jose, Director

**Cases filed by Shri Rahul Bajaj against Government Establishments**

Sl. No.	Name of the Respondent	Name & Designation of the Representative
9	<b>14044/1101/2023</b> Shri Rahul Bajaj Versus The Chairman, Unique Identification Authority of India Email: ceo@uidai.gov.in; help@uidai.gov.in	Shri Deepak Soni, Assistant Manager (Legal)
10	<b>14062/1101/2023</b> Shri Rahul Bajaj Versus The CGM-in-Charge & Security, Secretary's Department, Reserve Bank of India Email: cepcnewdelhi@rbi.org.in	Shri Sandeep Kumar, Legal Officer  Shri Niranjana V.K., DGM, DPSS, RBI  Shri Ajit Prasad, DGM, Website Division, RBI Shri Pranay Jain, DOR, RBI
13	<b>14065/1101/2023</b> Shri Rahul Bajaj Versus	Dr. Anil Aneja, Nodal Officer Prof. Sanjeev Singh, Director, DUCC

	The Registrar, University of Delhi Email: registrar@du.ac.in	
21	<b>14216/1101/2023</b> Shri Rahul Bajaj Versus (1) The Secretary, Department of Legal Affairs, M/o Law & Justice; Email: secylaw-dla@nic.in  (2) The Secretary, Ministry of Electronics and Information Technology; Email: secretary@meity.gov.in  (3) The Secretary, Ministry of Information & Broadcasting Email: secy.inb@nic.in	(1) Ms. Haimanti Bhattacharya, Director  (2) Dr. Kshitij, Scientist-F, MeitY  (3) Shri M.L. Meena
22	<b>14217/1101/2023</b> Shri Rahul Bajaj Versus (1) The Chairman, Airports Authority of India; Email: pgofficerchq@aai.aero  (2) The Director General Civil Aviation, New Delhi Email: dgoffice.dgca@nic.in	Ms Priyanka Agarwal, Assistant Manager (IT)  Shri Sanjay Dularey, JGM (Ops) Pune Airport

#### Suo-motu Case No. 15530/1101/2024 – Private Establishments

Sl. No.	Case No., Name of the Parties (Complainant Vs Respondent)	Name of the Representative
5	The Secretary & Chairman (DCC), Department of Telecommunications, Ministry of Communications Email: secy-dot@nic.in	Shri R.K. Meena, Director DS-II  Shri Arvind Kumar, Director IT2
6	The Director/Chief Executive Officer Reliance Jio Infocom Limited (Set-Top Boxes) Ahmedabad (Gujarat) Email: jyoti.jain@ril.com	Ms. Jhalak Agrawal Email: jhalak.agrawal@ril.com
7	The Director/Chief Executive Officer Bharti Airtel Limited (Set-Top Boxes) Bharti Crescent, 1, Nelson Mandela Marg, Vasant Kunj, Phase - II, New Delhi - 110070 And/Or Airtel Center, Polot No.16, Udyog Vihar, Phase-IV, Gurugram – 122015 (Haryana) Email: compliance.officer@bharti.in	Shri Devesh Bhardwaj, Shri Niraj Barkakati, Shri Sushit Sharma, vivek Shrivastava

#### Cases filed by Shri Rahul Bajaj, and Shri Amar Jain against private establishments:

Sl. No.	Case No., Name of the Parties (Complainant Vs Respondent)	Name of the Representative
2	<b>13855/1101/2023</b> Shri Rahul Bajaj	Shri Rahul Mahatme, Legal Adviser

	<b>Versus</b> Decathlon Sports India Limited, Bangalore Email: india.corporate@decathlon.com	
3	<b>13856/1101/2023</b> Suo-motu (On withdrawal by Shri Rahul Bajaj) <b>Versus</b> Viacom 18 Media Private Limited, Mumbai Email: amit.sohni@viacom18.com	Shri A.N. Neelakantan Shri Anil Lale
8	<b>13861/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Dreamplug Technologies Private Limited, Mumbai [Cred] Email: vasanth@cred.club	Shri Hardeep Singh Email: hardeep.singh@cred.club  Shri Ashwathi Umaria Email: ashwathi.umaria@cred.club
9	<b>13862/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Computer Age Management Services Limited, Chennai [Mu Cams Portal] Email: manikandan.g@camsonline.com	Shri G. Manikandan Company Secretary
11	<b>13864/1101/2023</b> Suo-motu (On withdrawal by Shri Amar Jain) <b>Versus</b> Bharti Airtel Limited, Gurugram [Airtel Xtreme Box, Airtel thanks] Email: compliance.officer@bharti.in	Shri Devesh Bhardwaj, Shri Niraj Barkakati, Shri Sushit Sharma, vivek Shrivastava
12	<b>13865/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Reliance Industries Limited, Mumbai [Reliance Jio] Email: savithri.parekh@ril.com	Shri A N Neelakantan, Assistant Vice President- Legal;
19	<b>13874/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Amazon Retail India Private Limited, New Delhi [Amazon] Email: legal-support@amazon.com	Shri Nishad Sharma, Amazon Sellers Services Pvt. Ltd.
20	<b>13875/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Flipkart Internet Private Limited, Bengaluru [Flipkart] Email: regulatory@flipkart.com	Shri Rajesh K, Head – Nodal Officer
22	<b>13877/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Yatra Online Limited, Mumbai [Yatra] Email: legal@yatra.com	Shri Nitin Rastogi
27	<b>13886/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Vivo Mobile India Private Limited [Browser] Email: directtax@vivo.com	Shri Diwanshu Arora Senior Executive (Legal) Mobile: 8377846420
33	<b>13892/1101/2023</b> Shri Rahul Bajaj	Shri Anoop Menon, CTO – Red Bus India Pvt. Ltd.



	<b>Versus</b> Ibibo Group Private Limited [Goibibo & RedBus] Email: compliance@go-mmt.com	Shri Param Shah, Senior Executive-Legal
45	<b>13909/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Notion Online Solutions Private Limited, Gautambuddha Nagar [Yes madam] Email: adigari@gmail.com	Advocate Shashwat
47	<b>13911/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Reliance Retail Limited, Mumbai [Ajo] Email: ratail.secretarial@ril.com	Shri Adithya Jayaraj Email: adithya.Jayaraj@ril.com - Shri Vinodh K, Email: vinodh.k@ril.com
51	<b>13916/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> House of Kieraya Private Limited, Bangalore [Furlenco] Email: ajith@furlenco.com	Ms Kinnori Ghosh, Advocate  Shri Utsav Biswas, Assistant Manager
58	<b>13924/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Delta Software Private Limited, New Delhi [ETMS Buddy] Email: sharat@cyberdelta.com	Shri Anurag Singh
59	<b>13926/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Parviom Technologies Private Limited, Delhi [Park Plus] Email: amit@myparkplus.com	
60	<b>13927/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Sinhal Udyog, Delhi [Crystal Power] Email: ayush@crystalpower.in	Ms. Nikita Suneja, Company Secretary  Shri Saurabh Grover, Software Quality Engineer
63	<b>13930/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Nykaa E-Retail Private Limited, Mumbai [Nykaa] Email: nykaacompanysecretary@nykaa.com	Ms Divya Wagle
64	<b>13931/1101/2023</b> Shri Rahul Bajaj <b>Versus</b> Reliance Retail Limited, Mumbai [Milkbasket] Email: hello@milkbasket.com	Shri Nikhil Aggarwal Email: nikhil1.aggarwal@ril.com
69	<b>Complainants</b>	Shri Rahul Bajaj, Advocate & Shri Amar Jain, Advocate



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15522/1024/24

Dated: 28/08/2024

**Case No. 15522/1024/2024**

**In the matter of —**

**Complainant**

Sonu Shiv

Email id : [sonushiv1@gmail.com](mailto:sonushiv1@gmail.com)

**VS**

**Respondent**

Director General,

Sports Authority of India

New Delhi

Email id : dg-sai@gov.in

**Hearing:**

A hybrid mode of hearing was conducted on 09.08.2024. The following parties/representatives were present during the hearing:-

SI No.	Name of Parties / Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Shri Sonu Shiv	Complainant	In person
2.	Adv Shashank Dixit	Respondent	Online



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15522/1024/24**

**Dated: 28/08/2024**

**RECORD OF PROCEEDINGS**

1. The Complainant submitted that he had applied under PwD quota (Multiple Disability) in the Sports Authority of India for which an advertisement was issued on 03.07.2023. In the said advertisement there was no mention of any need for the assessment of the disability of the candidates. The only mention was about a prescribed medical examination, which was supposed to be final and binding on the candidate.

2. The Complainant further stated that he was selected by the SAI and he joined his duties on 11.09.2023. He was informed that the nodal earmarked medical board for the mandatory medical examination was the Lady Harding Medical Hospital. On 18.09.2023, the Respondent issued the first letter for a medical examination without specifying any date on which the medical examination was supposed to be conducted. As his salary was not being released pending the medical examination, he frequently asked the SAI authorities to get his medical examination done at the LNJP or any other hospital nearby from where the medical examination could be done urgently. After 02 months of constant follow-up, the respondent issued another letter to the Lady Hardinge Hospital on 02.11.2024 where his medical examination was conducted on 24th and 25th November, 2023. The Medical Examination Test Report came on 02.12.2023 and the hospital had given him a certificate for multiple disabilities. He requested the Respondent to process his case for the release of salary as already 03 months. The Respondent is delaying the matter and is a little bit adamant. They said that they will send him for another Medical Examination.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15522/1024/24**

**Dated: 28/08/2024**

3. The Respondent submitted that they have no difficulty in accepting him on its payroll. The only difficulty is the medical certificate has not been authenticated. That certificate was once rejected by the UPSC and the DoPT also. That's why the Complainant was not allocated any service despite his clearing the CSE-2022. The Lady Hardinge Hospital gave a report saying that they can not certify his hearing impairment and that's why the Respondent requested the AIIMS to conduct a second medical examination and advised the Complainant to report to the AIIMS. The AIIMS reported that despite numerous efforts the Complainant did not undergo the requisite tests and has not cooperated with the medical examination. Under these circumstances, being a government organization, the SAI was not in a position to extend the benefit of the PwBD's quota to the Complainant. The Complainant responded by saying that on the issue of the certificate issued by the Lady Hardinge Hospital, the Respondent is lying as the hospital gave him a certificate of 1% hearing impairment.

4. On a query from the Court as to whether the Respondent has submitted the medical reports from the hospitals, namely the Lady Hardinge and AIIMS, the learned counsel sought time to place on record the copies of the documents as they could not file the same before. The Respondent also informed the Court that they have not extended the letter of appointment to the Complainant till date and that the Complainant is not in their employment. The Complainant is relying on the offer letter and on that basis alone is claiming to be an employee with SAI. On being asked about the Identity Card issued to the Complainant, the learned counsel submitted that it was issued to him subject to verification of the documents.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15522/1024/24

Dated: 28/08/2024

5. After hearing both parties, the Court directed the Respondent to file the medical documents including the reports given by the AIIMS by Monday i.e. 12.08.2024.

Yours faithfully,

(Praveen Prakash Ambashta)  
Dy. Chief Commissioner

Office of Chief Commissioner for Persons with Disabilities(Divyangjan)  
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075  
Tele# 011-20892364, 20892275  
E-mail: ccpd@nic.in



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15564/1141/24**

**Dated: 27/08/2024**

**Case No. CCPD/15564/1141/2024**

In the matter of —

Suo-motu cognizance regarding absence of/lack of adequate government recognized Sign Language interpreters in the inclusive as well as special schools across the country

**Versus**

- (1) The Department of Empowerment of Persons with Disabilities,  
Ministry of Social Justice & Empowerment,  
Through: The Secretary,  
5th Floor, B Wing, Pt. Deendayal Antyodaya Bhawan  
CGO Complex,  
New Delhi – 110003  
Email: [secretaryda-msje@nic.in](mailto:secretaryda-msje@nic.in)
- (2) The Secretary,  
Department of School Education & Literacy,  
Ministry of Education,  
Room No. 124-C, Shastri Bhawan,  
New Delhi-110001  
Email: [secy.sel@nic.in](mailto:secy.sel@nic.in)
- (3) The Principal Secretaries,  
Education Departments of  
Through: The Chief Secretaries  
All States and Union Territories
- (4) The Director,  
National Council of Educational Research and Training [NCERT],  
Sri Aurobindo Marg,  
New Delhi-110016;



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15564/1141/24

Dated: 27/08/2024

Email: [director.ncert@nic.in](mailto:director.ncert@nic.in)

- (5) The Chairman/Member Secretary,  
Rehabilitation Council of India (RCI),  
B-22, Qutab Institutional Area,  
New Delhi - 110016  
Email: [cprci-depwd@gov.in](mailto:cprci-depwd@gov.in)
- (6) The Secretary,  
Central Board of Secondary Education [CBSE]  
Shiksha Kendra, 2, Community Centre,  
Preet Viha, Delhi-110092  
Email: [secy-cbse@nic.in](mailto:secy-cbse@nic.in)
- (7) The Director,  
Ali Yavar Jung National Institute of  
Speech and Hearing Disabilities (Divyangjan) [AYJNISHD]  
K.C. Marg, Bandra (West),  
Reclamation, Mumbai-400050  
Email – [ayjnihh@vsnl.com](mailto:ayjnihh@vsnl.com)
- (8) The Director,  
Indian Sign Language Research & Training Centre [ISLRTC],  
Module No.403-405, 4<sup>th</sup> Floor,  
NISC Business Park, Okhla Industrial Estate,  
New Delhi-110020  
Email: [islrtcnewdelhi@gmail.com](mailto:islrtcnewdelhi@gmail.com)

**Hearing (I):**

A hearing was conducted on **07.08.2024** in hybrid mode (offline/online through video conferencing). The parties/representatives appeared in the hearing are as under:



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15564/1141/24

Dated: 27/08/2024

Sl. No.	Name of the Respondents		Name of the parties/representative appeared in the hearing
1.	Department of Empowerment of Persons with Disabilities, M/o Social Justice & Empowerment		None appeared
2.	Department of School Education & Literacy, Ministry of Education		Ms. A Srijia, Economic Adviser
3.	The Principal Secretaries, Education Departments of Through: The Chief Secretaries All States and Union Territories		
	1.	Education Department, Govt. of Madhya Pradesh	Shri R.S. Tiwari, Nodal Officer
4.	National Council of Educational Research and Training [NCERT], New Delhi		(1) Prof. Rajendra Pal, HOD (2) Dr. Bharti Kaushik
5.	Central Board of Secondary Education [CBSE], New Delhi		Shri Sachin Thakur, Dy. Secretary
6.	Ali Yavar Jung National Institute of Speech and Hearing Disabilities (Divyangjan) [AYJNISHD], Mumbai		(1) Dr. Suman Kumar, Director (2) Dr. Rajeev Jalvi, HoD, Audiologist
7.	Indian Sign Language Research & Training Centre [ISLRTC], New Delhi		

**Special Appearance on the call of the Court:**

1.	National Institute of Open Schooling (Special appearance)	Dr. Rajiv Kumar Singh Director (Acad.)	Online
----	---	---	--------

**RECORD OF PROCEEDINGS**

The Hon'ble Chief Commissioner for Persons with Disabilities [in short "CCPD"] opened the hearing by apprising the respondents that communication is the major barrier in the community of persons with hearing impairment. The Indian Sign Language Research & Training Centre [ISLRTC]





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15564/1141/24**

**Dated: 27/08/2024**

was set up in 2015 with the expectation that it would have more impact in removing the communication barrier by producing a Sign Language Interpreter (SLI) in the next 3-4 years.

2. The CCPD noted with concerns that sign language has still not gained universal acceptance as a subject in the inclusive or special schools. The Hon'ble Prime Minister in an episode of the *Mann Ki Baat* broadcast on 07<sup>th</sup> September 2021 shared his joy at the launch of the Indian Sign Language Dictionary and hailed the decision to use the Indian Sign Language not only as a medium of education but as part of the curriculum as a subject, pointed out that the education should not only be inclusive but also equitable;

3. Government web portals providing digital infrastructure for knowledge sharing and aimed at improving the quality of school education through integrated Teacher Training such as DIKSHA and NISHTHA, which provide educational contents and resources including teacher training modules, lesson plans for teachers, learning resources, and assessment tools are not enabled with Sign Language Tools/Interpretation.

4. In addition to this, the Indian Sign Language (ISL) is used in the deaf community but it is not the medium of teaching in schools to teach deaf children mainly due to lack of both SLI and the syllabus in ISL. Therefore, the NCERT and ISLRTC were both asked to prepare the syllabus of Class-I to Class-XII in Indian Sign Language (ISL). But till today, the syllabus in ISL has come only up to Class-V, and thereby deaf children are being deprived of even getting a school education which is actually an offence under the Rights of Persons with Disabilities Act, 2016 [in short "the Act"].

5. It is time that persons on whom the responsibility is cast to help the divyang community and who do not work adequately for that are subjected to face the consequence as per the law. There is a massive dropout of children with hearing impairment after 5/8/10 Grade mainly due to the communication barrier. Any child with hearing impairment who wishes to study in any medium, she is rightfully entitled to study ISL as a language subject, and to get ISL assistance for other subjects. The last 12 years' data show that the



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15564/1141/24**

**Dated: 27/08/2024**

number of SLIs in the country is only about 600. In the State like Himachal, there is only one SLI

6. In the last two years, RCI and DEPWD have made a provision of DISLI and DTI courses in the national institutes and CRCs at 20-25 places. If it is continued, the number of SLI may increase in the coming 4-5 years. If the SLIs are not available then who will teach the deaf children?

7. Sign Language as a language subject has been introduced only in open school (NIOS) in Class-X and not in any other classes. Deaf children have to adopt three language formulas and they have to study three languages, but in reality, the need of a deaf child is Sign Language which one wants to study. So Sign Language as a language should be available from the very 1<sup>st</sup> standard to 12<sup>th</sup> standard in CBSE. This Court would be interested to know what action the CBSE and other educational boards have taken in this regard. In university courses, if one can study English Literature, Hindi Literature, etc., why can Sign Language not be taught? In other countries, the deaf students are doing Ph.D. in Sign Language.

8. Though a dictionary of 10000 words has been compiled, still much has to be done. Efforts are being to add technical words with a goal to compile 20000 words in SL Dictionary. Sign Language is being used in law, sports & games, chemistry, maths, financial matters, and share markets. The Ministry of Education is spending crores of rupees in this regard, Diksha and Nishtha's platforms have been made – Diksha is for students and Nishtha is for teachers. DISE data says that in inclusive schools there are 22 Lakh divyang children. However, there are accessibility issues in both the platforms of Diksha and Nishtha and these two platforms have to be made accessible for all categories of divyang students, as well as for Divyang students.

9. The CCPD clarified that these hearings are not adversarial hearings, but to frame the questions and nudge the officials responsible for that, and action would be taken against those who are not working despite nudging and despite given enough time. Denying education to the children is a great disservice, and any officer who by omission and commission is contributing to



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15564/1141/24**

**Dated: 27/08/2024**

this, he/she should also be held responsible for that.

**10. ISLRTC:**

10.1 The representative submitted that several actions have been taken to increase the Sign Language Dictionary and 2000 to 3000 fresh words would be added within a month. Secondly, 500 Concept Videos would also be made available within a month. The seats for deaf students have been increased from 40 to 120, and 90 for DTIL. Approval has also been taken from RCI to start 25 NI/CRC courses which would be started from the second week of September 2024. The Committee constituted for this purpose has recommended to relax the eligibility criteria for teachers for these schools.

10.2 The Member Secretary, RCI confirmed that an order has been issued in which the relaxation for three years has been granted.

10.3 The representative from ISLRTC submitted that a collaboration has been done to prepare a syllabus of Sign Language.

**11. NCERT:**

11.1 Dr. Bharti Kaushik said that the issues listed by this Court are very valid and quite essential also. As far as the conversion of NCERT textbooks is concerned, since post NEP 2020; National Curriculum Framework Foundational Stage 2022; and National Curriculum Framework School Education 2023, the textbooks for Class-I and Class-II have been revised and are available. The conversion work of these textbooks in ISL has almost been completed and is being edited, almost 80% editing work has been completed and only 20% editing work is remaining. There are 04 books i.e. English, Hindi, and Math (both in Hindi and in English) in ISL in each class, and very soon these 08 books will be available. In these books there are audio scripts and the text in illustration is also there. The recording of the books for Class-III has also been commenced. Since the books of Class-VI have been released recently, efforts are being made to record them very soon.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15564/1141/24**

**Dated: 27/08/2024**

**12. Department of School Education & Literacy:**

12.1 The Economic Adviser, DoSEL said that when the National Curriculum Framework of School Education was being discussed, the DoSEL had suggested bringing out simultaneously the textbooks in Sign Language.

12.2 The CCPD was of the view that the work of conversion of textbooks in Sign Language should be tendered out for its timely disbursement to the divyang students. If it is decided with full willpower, then with the help of the community, within 6 months the textbooks for 1<sup>st</sup> to 12<sup>th</sup> standard can be converted. If there is no willpower, then the textbooks can never be converted, as till now deaf children are not getting textbooks in Sing Language. So, the responsibility should be fixed on the officers

12.3 The Economic Adviser assured that the matter would be looked into as the directions are issued from the DoSEL to NCERT for preparing the textbooks. A timeline has been given that by 2025 the textbooks up to 12 standard would be converted in Sign language.

**13. CBSE:**

13.1 The Deputy Secretary, CBSE said that whatever the material has been developed by NIOS, deliberations are already going on that particular material and very shortly something would come out from CBSE with a timeline.

13.2 The Court was of the view that within one month from the date of issue of this Record of Proceedings, CBSE would file their written submission that the syllabus in ISL as a language subject has been decided up to Class XII standard.

**14. AYJNISHD:**

14.1 The Director, AYJNISHD said that DISLI and DTIL programmes have been started in regional centers from the academic year 2024-25 with 30 seat intake, and an MoU has also been done with the State of Odisha to promote Sign Language in their special schools.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15564/1141/24**

**Dated: 27/08/2024**

14.2 The CCPD asked that in B.Ed. and D.Ed. HI courses primarily the duty is of AYJNISHD to ensure good quality teachers, who will be the ones who deal with deaf students and SHI students across the country; CBSE has already said that they had hired 10000 special educators; and when the quality of the special educators is bad, if non-quality students become special educators, how will they handle deaf children. If a special educator of Hearing Impairment does not know Sign Language, how will they handle the deaf education in the country? So AYJNISHD has a very critical responsibility in this regard. For example, the Court said that the teachers who have done B.Ed. and D.Ed. in Hearing Impairment and also have got employment in government and they do not know the Sign Language properly. For entire, B.Ed. and D.Ed. courses, NEBR should be responsible along with RCI. Both AYJ and RCI along with ISLRTC should ensure proper refresher training for teachers already in the system.

**15. National Institute of Open Schooling (NIOS):**

15.1 The Director (Acad), NIOS who specially appeared on the call of the Court informed that around 200 students at higher secondary level who are hearing impairment are involved in doing ISL in the institute and the course is going to be completed in this month. He stated that for doing ISL by the students of Class-V and Class-VIII, the matter is under consideration.

**16. Education Department, Madhya Pradesh:**

16.1 The Nodal Officer from the Education Department said that the training of ISL is being provided every year to the teachers of elementary level and secondary level. He further submitted that the books in the syllabus of the State is not available in ISL. In the state syllabus, it is compulsory to study at least three languages.

**17. Observations & Recommendations:**

17.1 The Court directed to implead the National Council for Teacher Education and National Institute of Open Schooling as respondents in this case.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15564/1141/24**

**Dated: 27/08/2024**

17.2 The Education Department of the states/UTs has to share a copy of the circular with regard to how many languages are compulsorily required to be studied by a student in the state syllabus and is there any exemption from studying all the languages for divyang students. The CCPD sought an action plan in this regard from the AYJNISHD within a week; and also a status report on the ways to improve the content. The same was also asked from the RCI.

17.3 All states/UTs have to submit their action plan to ensure the conversion of the state/UT syllabus in ISL up to Class-XII standard. The Government of Haryana has already converted its syllabus up to Class-XII standard.

18. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

**(Praveen Prakash Ambasht)**  
**Dy. Chief Commissioner**

Copy for information and necessary action to:

- (1) The Chairperson,  
National Institute of Open Schooling (NIOS),  
A-24/25, Institutional Area,  
Sector-62, Noida,  
Dist: Gautam Budh Nagar,  
Uttar Pradesh – 201309  
Email: cm@nios.ac.in



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15564/1141/24**

**Dated: 27/08/2024**

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No.** CCPD/15589/1022/24

**Dated:** 02/08/2024

Case No. 15589/1022/2024

**Complainant**

Shri Mukesh Kumar  
Qtr. No. 413, NPTI Complex,  
Sector 33,  
Faridabad, Haryana-121003

**VS**

**Respondent:**

Director General  
National Power Training Institute,  
Ministry of Power,  
Sector, 33,  
Faridabad, Haryana-121003

**HEARING:**

A hearing in hybrid mode (offline/online through video conferencing) was held on 30.07.2024. The following parties/representatives were physically present before the CCPD :

Name of Party/Representative	Designation	Representing	Mode
Shri Mukesh Kumar,	Dy. Director	Complainant, a person with 70% Locomotor Disability	In-person





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15589/1022/24**

**Dated: 02/08/2024**

Ms. Madhubala along with Shri V.K. Pandey	Director (Admn)  Dy. Director (Admn)	Respondent	In-person
---	--	------------	-----------

2. During the hearing, the CCPD asked the Respondent about their organization structure, total manpower strength, manpower at the Head Office, and the locations of offices.

3. The Respondent submitted that their offices are All Over India with a manpower strength of 144, out of which 40 are posted in the Head Office in New Delhi. The Respondent further submitted that they received the notice on 21.07.2024, directed to file the reply within 30 days. They are preparing the reply in the matter, but in between this hearing was fixed. She requested for time to file the reply and submitted that the matter may be heard in the next hearing.

4. The CCPD refused to adjourn the hearing and asked the Complainant to submit the facts of his complaint.

5. The Complainant submitted that he joined NPTI in the year 2007 at the intervention of this Court. Earlier he worked as a Consultant in the NPTI for 3-4 years. Again, in the year 2018, when he became due for his promotion, the DPC was delayed inordinately till March 2019. His non-divyang batchmates who were senior to him, got promoted to the grade of Dy. Director in the year 2018, but the promotions were abruptly stopped when his turn came. He made several representations to his superiors but to no avail. Finally, he again approached the O/o CCPD. The Court gave them a month's time to conduct the DPC. Despite a direction from the CCPD, no action was taken, whereafter, the CCPD wrote a letter to the Secretary, Ministry of Power and upon the intervention of the Ministry of Power, he got the promotion in the year 2019.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15589/1022/24**

**Dated: 02/08/2024**

6. He further submitted that after the promotion to the grade of Dy. Director many officers were retained in Faridabad, Badarpur, or the places where they were earlier posted, but he was posted to Shivpuri, Madhya Pradesh, in a newly created Institute. He joined there and represented his authorities as well as to Ministry of Power for the cancellation of his transfer order. After 8-9 months again on the intervention of the Ministry of Power, his transfer order was canceled and he was posted at Faridabad.

7. He submitted that he was a Coordinator for the Cyber Security Project of the Ministry of Power for 02 years and there is not a single complaint against him. He was instrumental in generating a business of Rs. 10-11 crores whereas the other Institutes had a business of 2-3 crores. The Institute instead of rewarding him had issued a transfer order dated 19.06.2024, posting him to Durgapur.

8. He also submitted that his request for cancelation of his transfer order on the grounds of his disability, poor health, the treatment of his son at AIIMS, and his ongoing academic session at a very good school at the DPS, etc. did not make any positive effect on the management. In the last 5 years, he has been transferred thrice-first from Faridabad to Shivpuri, then from Shivpuri to back, and now to Durgapur. Of course, the transfer from Shivpuri to Faridabad was at his request, but the other two were not. In contrast, there are many non-disabled Group A officers, who have spent a large chunk of their career in Delhi-NCR. Some of them have never been posted out of Delhi-NCR. In fact, in the last month when promotion was done, all other officers were posted either to Badarpur or Faridabad. In his absence, it will be very difficult for his wife to take care of the study, treatment, and other needs of the children.

9. The Court asked the Respondent if they wanted to respond to the averments made by the Complainant before the Court. The representative of the Respondent



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15589/1022/24**

**Dated: 02/08/2024**

reiterated her request to allow them the time to file the reply as per the originally allocated time of 30 days and keep the hearing only after that. The CCPD again refused the request. The representative did not make any comment on the averments made by the Complainant.

10. After hearing both parties, the Chief Commissioner observed that on the face of it, this is a classic case of harassment of an employee with disability. The Complainant has made very serious allegations about the HR policies of the respondent establishment, which, at the very least reeks of an Ableist and anti divyang mindset of the management. Transfer of one Divyang officer while not moving his non-disabled colleagues, is in complete violation of section 3, section 20, section 21 of the RPwD Act, 2016 read with rule 8 (3) (c) of the RPwD Rules and instructions issued from the DoPT and the DPE in this regard from time to time.

11. The Hon'ble Delhi High Court in a recent judgment passed on 18.07.2024 in LPA 133/2024 and C.M. No. 9793/2024 in the matter of Ircon Internation Ltd. Vs Bhavneet Singh has discussed the issue in great detail. The Hon'ble Court dismissed an appeal filed by the Corporation against the judgment of the learned Single Judge who had set aside the transfer order and the relieving order of the respondent in that case, Shri Bhavneet Singh, who is a differently-abled person. Notably, as per the submissions of the Corporation, a written complaint of assault against the above-mentioned employee became the underpinning reason for the impugned transfer order. The Hon'ble High Court while acknowledging that there is no inherent right of any employee to be posted to a place of his choice, it held that persons with disabilities should be exempted from routine transfers and be posted near their native place or to place of their choice, subject to the exigencies of service. The Appellant, (IRCON) has not discharged the burden of proof to show any administrative exigency. Further, as in this case, the employee in the case before the Hon'ble High Court also averred that several people had remained in one location for five (5) years or more. The Hon'ble High Court relied on the fact that this averment of the



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15589/1022/24**

**Dated: 02/08/2024**

employee remained unrebutted.

12. In view of the above, this Court directed the Respondent to keep the impugned transfer order in abeyance till the matter is pending in this Court and submit the following information/documents within 10 days:-

- (i) A list of all employees working in Faridabad and Badarpur showing their complete employment chart including their assignments.
- (ii) A list showing the recruitments made during the last 03 years, including contractual recruitments giving details of the dates of recruitment, posting of the persons so recruited, their qualification, and also a statement whether any of such recruits have any relative or family member who is also working in the same establishment
- (iii) A list containing the information regarding (a) no. of posts filled with persons with disabilities, (b) no of persons with disabilities applied, (c) nature and %age of their disability.

13. The Court also recommended to the Respondent to take corrective measures, if any, to ensure that employees with disabilities are not harassed and furnish a Compliance Report within 05 days. The Court also directed that the DG of the Respondent establishment shall be present (online/offline) during the next hearing.

**Yours faithfully,**



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15589/1022/24

Dated: 02/08/2024

(Praveen Prakash Ambashta)  
Dy. Chief Commissioner

Office of Chief Commissioner for Persons with Disabilities(Divyangjan)  
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075  
Tele# 011-20892364, 20892275  
E-mail: ccpd@nic.in



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15608/1141/24

Dated: 20/08/2024

**Case No. 15608/1141/2024**

In the matter of —

**Suo-motu cognizance regarding registration of institutions for persons with disabilities and grants to such institutions by the State Government**

**Versus**

The Additional Chief Secretary/Special Secretary/  
Principal Secretary/Incharge of Social Welfare Department  
Through: The Chief Secretary,  
All States and Union Territories  
Email: [chiefsecretaries@ismgr.nic.in](mailto:chiefsecretaries@ismgr.nic.in)

**... Respondents**

**Hearing (I):**

An online hearing was conducted on **07.08.2024** through video conferencing.

**RECORD OF PROCEEDINGS**

At the very outset the Chief Commissioner for Persons with Disabilities [in short “the CCPD”] apprised state government officials and the state commissioners for persons with disabilities [in short “the SCPDs”] that registration of institutions whether government or private ones, espousing the cause of persons with disabilities is a mandatory requirement under Section 50 of the Rights of Persons with Disabilities Act, 2016 [in short “the Act”]. He shared his observation that the present system of registration of fresh institutions, and renewal or revocation of registrations is quite opaque and cumbersome in almost all states/UTs.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15608/1141/24**

**Dated: 20/08/2024**

2. The status of the institutions with regard to their registration, the validity of registration and the type of disabilities, for which they are working, is not available on the websites of the concerned department of state governments or on the websites of the SCPDs. Such a situation is potent with the risk of allocation of grants by Central or State Governments, or allocation of RCI courses to an unregistered and hence undeserving institutions. Instances of using fake, photo-shopped and expired certificates have also come to light. He further highlighted the delay in issuing the registration certificate to genuine organisations and the renewal of registrations. There are some complaints of multiple inspections, avoidable paperwork and also sometimes of alleged irregularities in the process. These institutions are of vital importance for the last mile service delivery to the beneficiaries, and it is essential that Registration process is smooth and transparent, and fully online.

3. At this stage, the CCPD invited the attendees to update the status in this regard in their respective states/UTs.

4. The gist of statements made by the attendees are as under:

(a) **Odisha:**

The NGOs who are working in the field of disabilities have all been registered in Odisha. The CCPD interjected at this by saying that the issues were ignored by availability of the information and status viz-a-viz all registered, ending for registration and revocation of registration in respect of such institutions. All the government websites i.e. either the websites of concerned state government departments or on the concerned websites of SCPDs or both. The SCPD Odisha assured this Court of doing the needful.

(b) **Uttar Pradesh:**

The complaints for grants are being received from the NGOs. Efforts are being made to upload the status of the institutions on the SCPD's website.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15608/1141/24**

**Dated: 20/08/2024**

**(c) Andhra Pradesh:**

The District Officer is the registration authority which has been notified as per the Act as well as the procedures of applying for registration, revocation, re-registration and appeal have also been notified by the State. The timelines have been provided to the institutions for renewal. At present there are 110 NGOs who are working for the persons with disabilities. The lists are ready to be uploaded and within one week the lists would be uploaded on the SCPDs website.

**(d) Bihar:**

The lists of the registered institutions and those whose certificates have been renewed or rejected are already on the government websites. There are 12 NGOs whose registrations have expired, but they did not turn up for the renewal. This list would be uploaded on the government website immediately.

**(e) Nagaland:**

In their state the process of registration is currently under way. The lists as directed by this Court would be uploaded on the website of SCPD immediately after completion of the exercise.

**(f) Jammu & Kashmir:**

Out of 32 organizations, 26 organizations have been registered in Jammu and in Srinagar, but there is an issue of re-registration and 06 applications are pending for registration. In addition to this, the SCPD also submitted that he has observed a mismatch of criteria in registering the government run institutions and private institutions, so he suggested should be a common minimum standard for both private and government run institutions with regard to their infrastructure, human resource, monitoring, etc., and assured to share his views with all the SCPDs on Whatsapp.

**(g) Goa:**





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15608/1141/24**

**Dated: 20/08/2024**

The Court apprised the representative of Goa that the first list would be the registered & valid institutions; then the list of the expired registrations duly mentioning the institutions did not apply for re-registration; and the third whose applications have been rejected duly mentioning the reason of rejection.

**(h) Manipur:**

The registration is being done manually. But, the SCPD assured to comply with as soon as possible.

**(i) UT of Chandigarh:**

The SCPD submitted that she has recently joined the office and has to start from the scratch. However, she assured to comply with the instructions as soon as possible.

5. The CCPD advised the respondents and the attendees to ensure that the process of registration is made transparent, preferably a fully online process. The CCPD also advised that the renewal process should automatically kick in before say 60-90 days before the validity of the current registration is getting over. The institutions should also be sensitized about cross-checking the need of registration under other laws such as the National Trust Act, 1999, the Mental Health Act, 1984, the Juvenile Justice Act, 2015, etc. Presently there is no way to know the current status of the establishment/organization to ensure whether the organization/establishment is registered under the Act; whether the validity period has expired; whether its registration is rejected; whether its registration is under process/pending; and whether it is black-listed. Besides this, from the establishment/organization side, they are not clear about the process of registration, renewal, fees for registration or renewal, revival time, etc. So, these things are to be looked into, and SOP should be user-friendly, well defined and widely circulated.

6. The Court advised the respondents to furnish their respective weblink of the institutions with the details discussed above to be uploaded on the website of CCPD so that anyone can see.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15608/1141/24

Dated: 20/08/2024

7. The Court advised the respondents to ensure the following within 10 days from the date of receipt of this Record of Proceedings:

- (i) Whether instructions have been issued to the registered NGOs to upload on its website – The date of Registration, Validity, and Their area of disability to function.
- (ii) State Government to explore the feasibility of online registration for transparency and efficiency.
- (iii) The details of institutions to whom the registration has been granted/rejected/pending in the following format:

Sl. No.	Name, Address and Contact details of Institution	Whether the application is for Registration Or Renewal	Date of application for Registration Or Renewal Or Revocation of Certificate
(1)	(2)	(3)	(4)

Status of Registration Or Renewal – Granted Or Rejected Or Revoked Or Pending	Date of grant/rejection	Validity Period	Area/Disabilities for which the institutions works	Remarks
---	-------------------------	-----------------	--	---------



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15608/1141/24

Dated: 20/08/2024

(5)	(6)	(7)	(8)	(9)
-----	-----	-----	-----	-----

7. The Court also directed the respondents to upload on its respective websites with clarity the process of registration, name of the office and officials responsible for registration with their contact details etc.

8. The Court advised the State Commissioner for Persons with Disabilities of all States & Union Territories to periodically monitor the status of the establishments/organizations and they should take strict action against such organizations who are using fake registration certificate and/or documents as well as against the officers who are delaying the registration/renewal of genuine establishments/organizations. The Court also advised the respondents and the attendees to share any good practices adopted by their states/UTs for study and exploring the feasibility of replication by other states.

9. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

Yours faithfully,

(Praveen Prakash Ambashta)  
Dy. Chief Commissioner

Office of Chief Commissioner for Persons with Disabilities(Divyangjan)  
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075  
Tele# 011-20892364, 20892275  
E-mail: ccpd@nic.in



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

**Case No. CCPD/15316/1032/24**

**In the matter of —**

Suo-motu cognizance regarding the status of guidelines of inclusive education and home schooling across the States/UTs

**Versus**

- (1) The Chief Secretary,  
All States, and Union Territories (As per list attached)  
For kind attention & response:  
The Principal Secretary,  
Education Department; and  
The Principal Secretary,  
Welfare/Social Welfare Departments,  
All States, and Union Territories

**... Respondent**

**No.1**

- (2) The Secretary,  
Department of School Education & Literacy,  
Ministry of Education,  
Room No. 124-C, Shastri Bhawan,  
New Delhi – 110001

Email: [secy.sel@nic.in](mailto:secy.sel@nic.in)

**... Respondent**

**No.2**

- (3) The Joint Secretary (Policy)  
Department of Empowerment of Persons with Disabilities,  
Ministry of Social Justice & Empowerment,  
Room No.527, B-III Wing,



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

Pt. Deendayal Antyodaya Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi – 110003

Email: [yrajeshk@ias.nic.in](mailto:yrajeshk@ias.nic.in)  
**No.3**

**... Respondent**

**Hearing (III):**

A 3<sup>rd</sup> joint hearing was conducted on **07.08.2024** online through video conferencing. The following parties/representatives were present during the hearing:

**RECORD OF PROCEEDINGS**

At the very outset, the Hon'ble Chief Commissioner for Persons with Disabilities [in short "CCPD"] apprised the parties/representatives of the background information of the cases that both the normal children and divyang children in inclusive schools are getting all the benefits of SSA and ADIP schemes. However, the children of the special schools in the states/UTs are deprived of the benefits of SSA and ADIP schemes mainly because the special schools are not attached to the Education Departments of the states/UTs.

2. The CCPD apprised the respondents that the Secretary, the Department of School Education & Literacy [DoSEL], Ministry of Education have immediately after the first hearing in these cases issued a circular to the Education Department of all states/UTs and clarified that the benefits of SSA and ADIP schemes must be given to the children studying in the special schools even if they are not attached to the Education Department of the states/UTs.

3. So, the Department of Empowerment of Persons with Disabilities (DEPWD), Ministry of Social Justice & Empowerment is expecting information regarding special schools and the children studying in all the special schools in the state/UTs irrespective of being run by private



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
Department of Empowerment of Persons with Disabilities (Divyangjan)  
Ministry of Social Justice and Empowerment  
Government of India

Case No. CCPD/15316/1032/24

Dated: 22/08/2024

organizations, NGOs, etc. The requisite information is expected from the states/UTs in the prescribed format given below which has already been provided to the states/UTs.

**Format for furnishing information on special schools**

State/ Union Territory	District	Name of School	No. of Disabilities Catered for (single/ numerous)	Details of Disabilities (VI, HI, ID, LD, MD)	Address	Contact Person
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Mobile Number	Email ID	Types of School (Govt. Aided/ Private/NGO)	Board Affiliation (CBSE/State Board/Any other)	If any other board, please specify	Education imparted till which standard
(8)	(9)	(10)	(11)	(12)	(13)

4. The Court apprised that the absence of the requisite information makes the delivery of benefits of the schemes to the children studying in the special schools very difficult.

5. The Court directed the ALIMCO and ADIP Sections of the DEPWD to furnish the details of the number of camps organized by the DEPWD including the number of the schools, where such camps were organized. Further, all special schools are to be covered by the ADIP scheme in the coming six months, so the ALIMCO Section of DEPWD has to submit a



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

monthly report to this Court and if any state/UT is not co-operating with SSA funds, they will also report to DoSEL. In the Government of India, if the State Government refuses to give SSA funds to special schools despite the enabling order, their children should not be deprived of and the same could be funded 100% from the ADIP scheme and the book adjustment could be done later. But, the DoSEL should be informed immediately about the non-cooperation of the state concerned with a report to this Court so that responsibility could be fixed in the next hearing on the officers who are denying the ADIP scheme and SSA scheme to the divyang children studying in special schools.

6. Shri S.P. Sharma from DEPwD ALIMCO submitted that in compliance with the letter received from the Office of CCPD, a letter was issued from the Policy Section, ALIMCO to the Chief Secretaries of all States/UTs that the children studying in special schools are deprived of getting mid-day meals under SSA.

7. Shri S.K. Das from ALIMCO, Delhi submitted that once the DEPwD would provide a list of the special schools, the ALIMCO would cover the schools in their future camps and submit the report.

8. Advocate Puneet Yadav appearing on behalf of the Ministry of Women & Child Development submitted that he had filed an affidavit which may be taken on record. The Mid-day Meal, SSA, and ADIP schemes are not under the purview of the Ministry of Women & Child Development.

9. The Dy. Director, Social Justice & Empowerment, Gujarat submitted that there are a total of 98 special schools in Gujarat and all are under the Social Welfare Department. He assured that the complete information about the special schools in the state of Gujarat would be submitted in the prescribed format in the next hearing. In reply to a question, he said that there are 32 schools for children with visual impairment.



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

10. The SCPD, UT of Chandigarh submitted that being a newly appointee to the post of SCPD, she would not be able to contribute much to the discussion in today's hearing. However, she would be taking away valuable learning from it and would be furnishing any information sought by this Court in the prescribed format.

11. The Secretary, the Social Welfare & Social Education Department (SW&SE), Tripura submitted that there are three special schools in the state under the SW&SE Department. The representative was not able to confirm whether Brail Books had been handed over to the children with visual impairment in the special schools when the new academic session commenced and assured that complete information would be furnished in the prescribed format before the next hearing.

12. The Special Secretary, Basic Shiksha Vibhag, Govt of Uttar Pradesh submitted that there is no special school running under the Basic Shiksha Vibhag. The CCPD brought the attention of the representative from Uttar Pradesh, about this gap or lack of ownership towards the rights of the Children with Special Needs irrespective of whether they are from the Inclusive or the Special Schools, being the main reason for institutionalizing this suo motu case.

13. The Commissioner, Social Justice Department, Madhya Pradesh submitted that there are 18 special schools which are run by the Government, and 23 special schools which are run by NGOs. 1836 special children are studying in NGO-run special schools, and 1574 special children are studying in Government-run special schools. Grants are provided to all the special schools. The state has its own Braille Press. He assured that by the next week, Braille Books would be handed over to the children with visual impairments in the special schools.

14. After hearing the parties/representatives, the Court observed and directed as under:





**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

14.1 The Court advised the ALIMCO representative to not wait for the list from the DEPwD prepare a full calendar of visits to the districts and submit a written report to this Court wherever the district machinery is not cooperating. The Court would then interact with the District Magistrate as well as the Education Officer of the concerned district directly.

14.2 The Court directed that the Ministry of Women & Child Development be dropped from the array of the respondents.

14.3 The Court directed all the states/UTs to ensure that the Brail Books have been handed over to the students with visual impairments in the special schools.

14.4 The Court directed the JS, DEPwD to ensure that there is no delay in funding of the Brail Press. And in case of further delay, a report be submitted to this Court after fixing the responsibility of the Director, Dy. Secretary, and the US concerned in the DEPwD who is looking after the Brail Press.

14.5 In the last hearing conducted on 18.06.2024, the Court had recommended as under vide Record of Proceedings dated 02.07.2024:

*“17.1 After hearing the representatives from the States and Union Territories, the Court expressed its appreciation for the timely positive intervention by the Education Ministry of the Central Government and also for the states and UTs for presenting their respective data regarding the special schools in their States and Union Territories. He was of the opinion that these suo-motu cases are likely to be very impactful intervention taken by this Court because this is going to impact lacks of children across the country, who did not have access to schemes, to aids & appliances, gadgets and other stuff. Education and Social Welfare ministries (or any other ministries dealing with the disabilities matters) in the states and UTs need to be working together for the welfare of the children with special needs. The Court is very hopeful that this collaboration will continue much beyond the duration of these proceedings.*”



**COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**  
**Department of Empowerment of Persons with Disabilities (Divyangjan)**  
**Ministry of Social Justice and Empowerment**  
**Government of India**

**Case No. CCPD/15316/1032/24**

**Dated: 22/08/2024**

17.2 The Court was also hopeful that all States and Union Territories would soon furnish the data within 15 days in the format already received by them along with the following:

- (i) To ensure that all NGOs who are running special schools are registered with the National Trust if they are eligible for Registration;
- (ii) To ensure that all the children with special needs and children with disabilities are having UDID Card;
- (iii) To ensure that all the special schools irrespective of being run by governments/NGOs/private are getting the facilities being provided under DDERS and DDRC schemes.”

14.6 The JS & FA be impleaded and notified to be present in future hearings in this case.

15. This is issued with the approval of the Chief Commissioner for Persons with Disabilities.

**Yours faithfully,**

**(Praveen Prakash Ambashta)**  
**Dy. Chief Commissioner**

**Office of Chief Commissioner for Persons with Disabilities(Divyangjan)**  
**5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075**  
**Tele# 011-20892364, 20892275**  
**E-mail: ccpd@nic.in**