

Case No. 13798/1144/2023

In the matter of -

Ms. Rakhi. R/o H-67, Rajeev Nagar Extn., Beaumpur. Delhi - 110086 ... Complainant Versus The Dy. Commissioner of Police, Delhi Police, Begampur, Rohini Extension, Rohini, Delhi - 110086

... Respondent No.1

The Dy. Commissioner of Police, Delhi Police, North East, New Seelampur, Shahdara. Delhi - 110032

... Respondent No.2

RECORD OF PROCEEDINGS

A hearing was scheduled in the matter on **21.10.2024** through video conferencing at Room No. 529, B-III Wing, Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi.

2. Despite service of notice of hearing, none of the parties appeared during the hearing. The Court decided to schedule another hearing before making further decisions. The date and time of the hearing shall be notified in due course.

> Digitally signed by Praveen Prakash Ambashta Date: 11-11-2024 11:39:14 (Praveen Prakash Ambashta) Dy. Chief Commissioner for Persons with Disabilities





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 5th 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.13979/1023/2023

In the matter of -

Shri Ajay Kumar Singh

... Complainant

Versus

The Chairman & Managing Director
Punjab National Bank
Head Office, New Delhi

... Respondent

Hearing (I):

A hearing was conducted on **20.09.2024** in hybrid mode (offline/online through Video Conferencing at Room No. 529, B-III Wing, Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi. The following parties were present during the hearing:

	Name of the parties/ .Representatives	Mode of Presence
Fro	om Complainant:	
1.	Mr. Ajay Kumar Singh,	Online
	Complainant	
2.	Advocate Rishabh Sharma,	Online
	For the Complainant	
3.	Advocate Mayank Bhargava,	Online
	For the Complainant	
Fro	om Respondent:	
1.	Mr. Mukesh Kumar Sinha,	Online
	DGM (HRD), PNB HO	
2.	Mr. Sharat Srivastaba	Online
	AGM (HRD), PNB HO	

Complainant's submission:

The Complainant, a retired bank employee with a benchmark locomotor disability (60% due to ankylosing spondylitis), claimed that during a promotional exam held on January 15, 2023, by the Institute of Banking Personnel Selection (IBPS), he faced significant hardships due to inadequate accessibility at the exam The examination was conducted on the first floor without any venue. accommodations for candidates with disabilities such as ramps or elevators. As a result, the Complainant was compelled to be physically carried by others to access the examination room. This experience caused substantial physical pain and emotional distress, ultimately impacting his focus and performance during the examination. Though he gualified the examination, his performance was impaired affecting his promotion prospects. Also, the Complainant stated that the reply filed by the respondent is self-contradictory as the respondent bank admitted that everything that the Complainant is saying actually happened but at the same time they were saying that no harassment took place. He stated that no arrangements were made at the examination centre and the centre was not informed about the limitations of the candidate/Complainant.

Respondent's Argument:

2. Mr. Mukesh Kumar Sinha, Deputy General Manager (DGM) of HRD, represented the bank in this matter. He confirmed that the incident occurred as described by the Complainant. The representative informed the Court that immediately on becoming aware of the incident, the bank raised the matter with the IBPS, which manages the logistical arrangements for promotional examinations. advising them to make necessary arrangements for Persons with Benchmark Disabilities (PWBD) candidates to prevent such incidents. The representative clarified that IBPS organizes these exams at multiple locations across India, and it is within their purview to ensure accessibility. The bank has routinely issued guidance to IBPS, instructing them to prioritize accessibility, and has also made a written communication regarding this matter following the incident.

3. However, it was noted that IBPS failed to act on these requests or provide reasonable accommodations for disabled candidates, resulting in the hardship experienced by the Complainant during the exam. No specific follow-up actions were reported by the bank to ensure accountability from IBPS on this matter.

4. The bank representative assured the Court of their commitment to enforcing these accessibility standards in collaboration with IBPS. They acknowledged the need for prompt action to prevent any recurrence and acknowledged to include accessibility checks as a routine part of exam preparation.

5. **Observations:**

5.1 As per the Rights of Persons with Disabilities Act, 2016 [hereinafter as "the Act"], and the rules and instructions issued thereunder, all public buildings including examination centers must be accessible to persons with any type of disabilities. The statutory deadline for making the existing infrastructure accessible has also been long over.

5.2 It is a major concern that despite such clear and mandatory provisions, cases from individuals with disabilities facing significant barriers at examination centers keep coming to this Court. It was noted that accessibility issues such as exams being held on upper floors without a functional lift has caused undue and completely avoidable hardship for the Complainant, particularly, when this examination was a departmental promotion examination, where the number of candidates is generally low and the accessibility needs of the candidates with disabilities are available to the establishment concerned well in advance.

5.3 The IBPS may be impleaded as one of the respondents in this case and a copy of this Record of Proceedings be served to them along with a copy of the documents related to this case for submission of their version on or before the next date of hearing.

5.4 The IBPS authorities are expected to verify the accessibility issues at each exam centre in advance, ensuring that facilities are Divyang-friendly as required under the Act. At the same time, the Bank cannot wriggle out of its responsibility by outsourcing the conduct of examination to another agency.

5.5 The Respondent Bank is advised to establish a verification protocol whereby their officers inspect each examination site to confirm Divyang-friendly facilities before exams are conducted. The Election Commission of India is an example of a body that has successfully implemented accessible polling stations and suggested that other examination authorities, public and private, should adopt similar standards to avoid repeated accessibility lapses. The Respondent is directed that all related correspondences and actions taken by the bank be shared with the Court within seven (07) days of the issue of this Record of Proceedings.

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

Digitally signed by Praveen Prakash Ambashta Date: 18-11-2024 16:21:15

> (Praveen Prakash Ambashta) Dy. Chief Commissioner

Copy to:

The Chairman, Institute of Banking Personnel Selection, 90, IBPS House, 90 Feet DP Road, Near Thakur Polytechnic, Western Express Highway, Kandiwali (East), Mumbai-400001 Email: dgmlegal@ibps.in



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 5th 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. 14450/1011/2023

In the matter of —

Shri Vivek Vijay Gorivale ... Complainant

<u>Versus</u>

- (1) The Secretary, Department of Posts, ... Respondent No.1
- The Joint Secretary (Policy),
 Department of Empowerment of Persons with Disabilities
 Ministry of Social Justice & Empowerment ... Respondent No.2

Hearing (I):

A hearing was conducted on **13.11.2024 in hybrid mode** (offline / online through video conferencing) at the Office of the Secretary, Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment, Room No. 529, B-III Wing, Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi. The following parties/representatives were present during the hearing:

	Name of the parties/ Representatives	Mode of Presence
Fro	m Complainant:	
	None appeared for Complainant	
Fro	m Respondent No.3	
1.	Mr. Ravi Pahwa,	Online
	Assistant Director General (GDS)	
2.	Ms. Prabha Sharma,	Online
	Assistant Director General (PE-I &	
	SCT)	
3.		Online
	Director (GDS)	

From Respondent No.2	
None appeared	

During the hearing, the Complainant could not appear due to technical reasons.

2. The representative for Respondent No.3 submitted that the post of Grameen Dak Sevak is a part-time job of normally 4-5 hours per day as per the terms & conditions of the service. In a reply to a question, the representative submitted that the vacancies were not published in the newspaper and on social media, but have been notified on the office website of the Department of Posts. Though this is a part-time job, it is of a permanent nature. The appointments are not made under Article 309 but under the powers of the Central Government. Therefore, the reservation policy as issued by the Central Government is followed.

3. In response to a query from the Court, the representative further submitted that they are yet to confirm whether any divyang person has been appointed on this post or not against the impugned notification.

4. After hearing the parties, Respondent No.1 was advised to furnish the following information/documents within seven (07) days from the date of receipt of this Record of Proceedings:

(a) Number of vacancies of GDS notified for recruitment.

(b) Number of vacancies reserved for various categories including for Persons with Benchmark Disabilities (PwBD).

(c) Details of the PwBD who applied for the post, details of shortlisted to be appointed; details of PwBD appointed; and number of posts reserved for PwBD which remained unfilled as well as the reason thereof.

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

Digitally signed by Praveen Prakash Ambashta Date: 19-11-2024 22:56:36





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 5th 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/15547/1012/2024

In the matter of —

Ms. Khadija Ruby

... Complainant

Versus

The Chairman & Managing Director Punjab National Bank ... Respondent

Hearing:

A hearing was conducted on 29.11.2024 in hybrid mode (offline/online through video conferencing at Room No. 529, B-III Wing, Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi. The following parties/representatives were present during the hearing:

	Name of the	Mode of
No.	parties/	Presence
	Representatives	
Fro	m Complainant:	Online
	Ms. Khadija Ruby	do
2	Shri Sumit Dwivedi,	
	Legal Representative	
	m Respondent:	
1	Mukesh Kr. Sinha,	Online
	DGM HRD	
2	Ishan Gupta, Chief	do
	Manager, HR	

Both the parties were heard and the order was reserved. The parties were directed to submit their brief written submissions, if any, within three (03) days from the date of receipt of this Record of Proceedings.

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

Digitally signed by Praveen Prakash Ambashta Date: 29-11-2024 23:31:38



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 5th 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/15564/1141/2024

In the matter of —

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

Versus

- 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
- The Secretary, Department of School Education & Literacy, Ministry of Education, Room No. 124-C, Shastri Bhawan, New Delhi-110001 Email: 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; Email: 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

- (6) The Secretary, Central Board of Secondary Education [CBSE] Shiksha Kendra, 2, Community Centre, Preet Vihar, Delhi-110092 Email: 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
- (8) The Director, Indian Sign Language Research & Training Centre [ISLRTC], Module No.403-405, 4th Floor, NISC Business Park, Okhla Industrial Estate, New Delhi-110020 Email: islrtcnewdelhi@gmail.com
- (9) The Chairperson, National Council for Teacher Education, G-7, Sector-10, Dwarka, New Delhi – 110075 Email: cp@ncte-india.org

(10) 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

Hearing (II):

A 2nd hearing was conducted on **09.10.2024** in hybrid mode at the Office of the Secretary, Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment, Room No. 529, B-III Wing, Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi. The following parties were present during the hearing:

Res. No.	-	ne of the pondents	Name of the parties/representatives who appeared in the hearing	Mode of appearance
1.	Empo Perso Disat Justio	artment of owerment of ons with oilities, M/o Social ce & owerment	Ms. Debala Bhattacharjee, Under Secretary (Policy)	Online
2.	Educ Minis	artment of School ation & Literacy, stry of Education		
3.	Throu Territ	ugh: The Chief Sec tories —	es, Education Departments of cretaries All States and Union	
	(1)		 Mr. Ravi Prakash, Director, Welfare of Differently Abled Mr. Ram Kamal, Senior Advisor, Inclusive Education 	Online
	(2)		Ms. Madhvi Kataria, SCPD, Chandigarh	Online
	(3)	Goa	 Mr. Taha I. Haaziq, Secetary, O/o SCPD, Ms. Varsha Naik, Director, Empowerment of Persons with Disabilities Department 	Online
	(4)	Haryana	Mr. Himanshu Chaunah, HCS, Director, Secondary Education	Online
	(5)	Karnataka	 Mr. Yamuna, Assistant Commissioner, SCPD Office, Karnataka Mr. Ashwathamma C., Dy. Director, Department of Differently Abled and Senior Citizens 	Online
	(6)	Kerala	Dr. Baburaj P.T. SCPD	Online
	(7)	Madhya Pradesh	1. Mr. Ram Bilas Semil, Assistant Director, Social Justice Department	Online
			2. Shri R.S. Tiwari, Nodal Officer, Education Department	

	(8)	Manipur	Joint Secretary Education(S), Manipur	Online
			2. Mr. Booby Singh Moirangthem, F/C Samagra Shiksha	
	(9)	Odisha	1. Ms Sumita Das, Additional Secretary to Govt., School & Mass Education Department, Odisha	Online
			2. Mr Pradosh Kumar Naik, Deputy Director (Inclusive Education), Odisha School Education Programme Authority (OSEPA)	
			3. Mr. Ashok Kumar Mohapatra, Inclusive Education Coordinator, Odisha School Education Programme Authority (OSEPA),	
	(10)	Punjab	Mr. Gurjot Singh, Assistant Director, School Education	Online
	(11)	Rajasthan	Mr. V.M. Sharma, IAS Commissioner (Mid-day Meal), Rajasthan	Online
	(12)	Tripura	Mr. Achintam Kilikdar, Dy. Commissioner O/o SCPD Tripura	Online
	(13)	Uttar Pradesh	Prof. Himanshu Shekhar Jha, SCPD	Online
	(14)	Uttarakhand	Mr. Ram Krishna Uniyal, Director (Elementary) SPD Samagra Shiksha	Online
	(15)	West Bengal	Mr. Subhra Chakrabarti, IAS Secretary, School Education Department	Online
4.	Educ and T	nal Council of ational Research raining RT], New Delhi	 Prof. Amarendra P. Behera, Joint Director, CIET-NCERT Mr. Ravishankar, Faculty Member 	Online
5.	Reha of Ind	bilitation Council lia	Dr. Sandeep Tambe, Dy. Director, RCI	Online
6.	Centr	al Board of ndary Education	Dr. Pragya Verma Dy. Secretary (Academic	Online

1	[CBSE], New Delhi	Unit), CBSE	
	National Institute of Speech and Hearing Disabilities (Divyangjan) [AYJNISHD], Mumbai	None appeared	
8.	0 0 0	Dr. Jitendra Sharma, Director, ISLRTC	Online
9.	National Council for Teacher Education, New Delhi	Advocate Akhilesh Srivastava, Counsel for NCTE	Online
10.	National School of Open Schooling, Noida	Col. Shakeel Ahmad Secretary, NIOS	Online

At the very outset, the Court apprised that the issue primarily concerns persons with hearing impairment who have not been getting the benefits of many schemes of the concerned state government and the Central Government. There is a general lack of awareness, lack of sign language interpreters, and lack of adequate teachers of Sign Language in the country, both non-deaf and deaf teachers. There are hardly 10% hearing-impaired persons who know Indian Sign Language (ISL) properly. In schools, there are few teachers trained in the ISL, and hardly any content or even storybooks are available in sign language.

2. The Court expressed its pain that the NCERT has not been able to provide materials in ISL till the 12th standard. The NCERT was informed earlier that concept-wise videos in sign language is being used across the world, because the syllabus may be modified a little bit, but the fundamental concept cannot change. So, concept-wise sign language should be made available for all the subjects. The 'Diksha' and 'Nishtha' platforms have not catered to the education needs of persons with hearing impairment effectively. Even institutions under the DEPwD have very few DISLI and STISL courses. This year the number of DISLI and DTISL courses at the national institutes and the CRSs has been increased six times across the country through the National Fund.

3. The Court further informed that a Sigh Language Dictionary was released on the Indian Sing Language Day on 23rd September 2024 enriching the lexicon with terminology related to law, transport, science and technology, etc. Further, the ISL dictionary was earlier available only in Hindi and English. But, with the help of the Anuvadini, a body under the AICTE of the Ministry of Education, it was translated into ten Indian languages and now the ISL Dictionary is available in eleven Indian languages. Further, when the NCERT could not quite collaborate with the ISLRTC for the rolling out of concept-based videos, the ISLRTC accepted the request of an MoU with a private company, namely Yunikee, which has already made over one hundred concept videos, and another 400 concept videos are releasing in the next two months.

4. The Court also wanted the response from the parties, particularly from the NIOS and the CBSE that the Indian signed language should be taught like any other language. The Court sought to know why students cannot take sign language as a literature subject just like the French literature or English literature. The CBSE may adopt the sign language syllabus of NIOS if they have not yet been able to make their own syllabus.

5. Submissions from the Representative of Central Bodies:

5.1 **CBSE** — The representative submitted that the syllabus of NIOS is based on an open school system, it needs modification to suit a formal examination system. In reply to a question, the representative said that CBSE does have the will, the resources, and the commitment towards the children of inclusive education, but it lacks specialized support in its efforts to work for the development of children with hearing impairment in preparing the syllabus for these children based on the NCERT curriculum.

5.2 **NIOS** — The representative submitted that the sign language syllabus at secondary and higher secondary levels has been prepared. They have also prepared more than 1000 videos. With regard to the preparation of the videos covering the syllabus for 5th to 8th Standards, the representative said that efforts are being made and very soon they would prepare the syllabus.

5.3 **NCERT** — The representative submitted that they have prepared a total of 1012 ISL video course wise upto class VII. He also submitted that they have completed the class recordings of textbook in upto Class-II. The ISL textbooks upto Class-VII are under preparation on priority. The concept videos have been launched upto Class V. These videos have also been launched on PM Vidya DD channel. The NCERT is also running a daily series from 12 to 12.30 pm every day on inclusive education, where a sign language interpreter is also made available. A total of 911 episodes of the series have so far been telecasted. He further submitted that the NCERT has signed an MoU with the ISLRTC for preparing the concept-based videos and videos for the ISL books. So far the materials for classes I to III have been completed and for the remaining materials the work will be done on priority. Another DD channel and a YouTube channel are also going to be launched very soon on inclusive education.

5.4 **NCTE** — The representative from NCTE submitted that the mandate of the NCTE is to coordinate the development of the teacher education system throughout the country and to regulate and proper maintenance of the norms and standards for the teacher education system only. In so far as sign language in higher education is concerned, the mandate is with the RCI. Therefore, NCTE has no role to play as far as the sign language is concerned.

6. Response from the State/UT

6.1 **Rajasthan** — The Commissioner, Mid-Day Meal, Rajasthan submitted that there are seven (07) special schools in the state under government setup. Out of which three (03) schools are for hearing-impaired children in Jaipur where 640 children with hearing impairment are enrolled. There are 2468 special educators in Rajasthan out of which 1097 special educators are of HI. All the special educators have been provided multi-regulatory training so that they can teach VI and MR children also along with HI. An MOU has been signed between the Department of Education, the Government of Rajasthan and the 'Mission Gyan', an NGO to provide free education to all RBSE students of classes 6th to 12th. Efforts are being made to train all the 1096 special educators (HI) in ISL within the next two years.

6.2 **Uttarakhand** — The State Project Officer (SPO) submitted that currently there are 340 hearing-impaired children are studying in the schools of Uttarakhand. At the primary level, 229 teachers have been imparted training of sign language and have been deputed in the schools where these children with hearing impairment are studying. The NCERT syllabus is being followed in the state and the available concept videos released by NCERT are also used to teach children with hearing impairment.

6.3 **West Bengal** — The State Project Director (SPD), Samagra Shiksha ensured that Braille books are distributed to the students of visual impairment along with the books distributed to the normal students within the first week of the academic session. A letter has been written to the Board of Secondary Education of West Bengal to adopt the sign language as a language subject upto 10th standard it would probably be adopted from the next academic session.

6.4 Andhra Pradesh —

(a) The Senior Adviser, Inclusive Education submitted that a project 'Mission 2027' has been created to make all schools for inclusive education. Currently, there are 2280 special educators in the state. All of them are trained in multidisciplinary divisions and they can handle any disabilities. More than 968 special dedicators in the State know the ISL. Now the other teachers also have been trained in sign language, especially in English language, so those who want to learn in other languages can also learn. However, the sign language is also region-specific. In different parts of the country, the sign language is used differently. Another limitation is that the ISL has only roughly 7500 words whereas a student is required to learn at least 70000 words to study properly at the IIT level. This is not going to happen anytime soon anywhere. So, it has been decided to use sign language for all basic communications for the child, to the teacher or the child to the peer group or the child to their family. Efforts are being made to make them literate so that they can read & write.

(b) Thus, In addition to the intervention through sign language, a new pedagogy called 'Digitally Accessible Pedagogy' has been developed, a part of

which called "Digitally Accessible Deaf" is meant for children with hearing A learning management system called, Learning Assessment impairment. Accessibility Management System [LAAMS] which is going to live by December, has universal videos with the ISL interpretation also on critical subjects where sign language does not have any access. Currently, there are 6176 children with hearing impairment, however, all the children who have learning challenges are in DAP. In the Pedagogy, the accessible contents start from 6th standard to 10th Standard based on the NCERT curriculum. For 1st standard to 5th standard it would be ready by January 2025. Important concept videos for 8th standard to 10th standard are readily available on the internet. There is no need to recreate a concept-based video in ISL. There are already many videos on any topic on YouTube. What is required is a subtitle for the existing videos. These subtitles can be in English or in the regional language. The schools have more than 60000 smart panels in the classrooms with option to make captioning methodologies. A deal has been made with Google to transcribe in 120 languages. So any teacher who does the lecture, the child could be able to read and be in the mainstream classrooms. He hopefully said that by June 2027 all the 45000 schools would be ready for inclusion.

(c) The representative sought more time to give a detailed demonstration of the LAAMS and other measures.

7. Observations & Recommendations

7.1 The Court emphasised that employment is a substantial measure for the empowerment of persons with disabilities, and education is a feeder for employment. Article 16 (1) of the Constitution provides a fundamental right of equality of opportunity for all citizens in the matters of employment and appointment. Article 21 A provides the right to education as a fundamental right for children between the ages of 6 and 14 years. Section 31 of the RPwD Act makes the right to education a statutory right for children with benchmark disabilities between the ages of 6 and 18 years. It is, therefore, a sorry state that the responsible agencies have not been able to secure these fundamental and statutory rights in respect of children with hearing impairment.

7.2 Responding to the statements of the Respondents, the Court made the following observations and recommendations:

(a) CBSE- The Court sought a report from the CBSE on the efforts made by for developing the syllabus. It asked whether the CBSE has tried to use its special educators as the resource persons to prepare the syllabus, or has it sought support from the deaf community. It asked the CBSE to submit its proposal citing the support needed by it and naming the potential resource agency(ies). The CBSE asked for some time to submit its report. The Court agreed to grant two weeks for the report

(b) NIOS - The Court advised the representative that NIOS should share whatever videos they have along with the syllabus for 5th to 8th standards

within one week from the date of receipt of this RoP.

(c) NCERT- The Court took a very serious note of the delay by all agencies i.e. NCERT, NIOS, and CBSE in releasing the textbooks for deaf & blind children whereas the books for non-divyang children are being released from time to time. The Court viewed the delay as a serious case of discrimination at the fundamental level. The Court directed its official to write to the NCERT recommending that the braille and the ISL editions of the textbooks should be rolled out on the same day when the books for non-divyang students are released.

(d) NCTE - The Court said that as per the Order of the Hon'ble Supreme Court, every school whether government or private, should have special teachers for divyang children as the schools have to provide inclusive education. In addition to this, divyang persons are working in the posts of teachers, vice principals, and principals. So, the NCTE cannot say that they have no role to play. In fact, the NCTE has to ensure that their training module must contain disability issues. The representative from NCTE prayed for two weeks' time to file a written reply, which was accepted by the Court.

RCI – The Court apprised that as per the Order of the Hon'ble (e) Supreme Court all schools would have special educators The role of RCI is critical in augmenting the pool of special educators. At present even when all the institutions have not created an adequate number of posts for special educators, the pool is insufficient to meet the demand. For example, recently Gujarat had advertised vacancies for 1800 special educators under Special Recruitment Drive. However, they could get only 200 special educators. Obviously, it is impossible for a school, and particularly for a small school to hire a special educator for VI, another special educator for HI, and yet another for ID. So, there is a need to basically convert the special educators in the schools into multi-disability educators. The RCI has been thinking of launching a three to six-month course to convert a special educator into a special educator for all disabilities. The right course is basically two-pronged- one is to train the special educators to cater to children with all disabilities and the second is to convert the regular teachers by getting them to do a special bridge course for handling divyang children. The RCI should launch these two courses immediately. The experience of AP can be valuable for the RCI and other states to bring this change.

(f) Andhra Pradesh- The Court agreed with the view that apart from sign language, deaf kids are required to learn proper written and spoken language, whether it is English or Hindi or any other official language. However, the native language for deaf children is sign language. They need to learn at least two to three thousand words in ISL which would be enough for their day-to-day living and communications. The Court requested the representative to submit a detailed report on their LAAMS and how they have been able to train their special educators to become multi-disability special educators.

(g) The Court clarified that in the event of non-submission of the abovementioned reports by the central government establishments, this Court will be constrained to impose fines under sections 89 and 93 of the RPwD Act, besides contemplating action under sections 76 and 78 of the Act.

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

Digitally signed by Praveen Prakash Ambashta Date: 26-11-2024 20:59:12



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 5th 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. 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@lsmgr.nic.in

Hearing (II):

A 2nd hearing was scheduled on 09.10.2024. However, due to administrative exigency, the hearing was conducted on **21.10.2024** through video conferencing at the Office of the Secretary, Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment, Room No. 529, B-III Wing, Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi. The following representatives from the States/Union Territories were present during the hearing:

SI. No	Name of the State	Name & Designation of the Parties/Representatives appeared in the hearing
	Nicobar Islands	Ms. Reeta Devi, Nodal Officer, A & N Islands

2.	Andhra Pradesh	Mr. G.N. Ramanna, Assistant Director, Government of Andhra Pradesh
3.	Arunachal Pradesh	Mr. Mito Dirchi, Joint Secretary, SJETA, Government of Arunachal Pradesh
5.	Bihar	Ms. Ruby Kumari, Additional Commissioner, O/o State Commissioner for Persons with Disabilities, Government of Bihar Email: scdisability2008@gmail.com
6.	Chandigarh (UT)	Ms. Madhvi Kataria, IAS SCPD, Chandigarh Administration, Email: socialwelfarechd@rediffmail.com
9.	Delhi (UT)	(He did not speak his name & Designation) Social Welfare Department, Government of NCT of Delhi Email: pzza@ni.in; dsw@nic.in
10.	Goa	Mr. Guruprasad Pawaskar, SCPD, Govt. of Goa, Email: dis-comm.goa@gov.in Mr. Taha I Hazziq, Secretary, O/o State Commissioner for Persons with Disabilities, Government of Goa Email: dis-comm.goa@gov.in
11.	Gujarat	(Did not speak his name & designation) Social Justice & Empowerment Department, Government of Gujarat
13.	Himachal Pradesh	Mr. Jitender Sanjta (HPAS), Additional Director, ESOMSA, Government of Himachal Pradesh, <u>Email: socialjesecy-hp@nic.in_</u>
14.	Jammu & Kashmir	Mr. Iqbal Lone, SCPD, UT of Jammu & Kashmir Email: comm.pwds@jk.gov.in
16.	Karnataka	Mr. Ravi Shankar D.S. Office of State Commissioner for Persons with Disabilities, Government of Karnataka

		Ms. Ashwathamma C., Deputy Director, Empowerment of Differently Abled and Senior Citizens Department, Government of Karnataka, Email: dirdwdscka@gmail.com
17.	Kerala	Ms. Priyanka G., IAS Director, Directorate of Social Justice, Government of Kerala, Email: dirswd@gmail.com Ms. Preethy Wilson, Assistant Director, Directorate of Social Justice,
		Government of Kerala, Email: wilsonpreeth@gmail.com
22.	Manipur	Mr. L Dhaneshwar, Deputy Director (Disabilities), O/o State Commissioner for Persons with Disabilities Government of Manipur
23.	Meghalaya	Mr. Bansara Nengnong, Assistant Director (Social Defence), Social Welfare Department, Govt. of Meghalaya Email: directorsw-meg@gov.in
26.	Odisha	Ms. Bratati Harichandan, IAS SCPD, Government of Odisha Email: scpdorissa@nic.in
27.	Puducherry (UT)	Mr. Sukhumenta Office of SCPD, Puducherry UT
30.	Sikkim	Ms. Normit Lepcha, Principal Director-cum-Secretary, Women & Child Development Department, Government of Sikkim, Email: sikkimwomenandchild@gmail.com Dr. M.B. Chetri, Joint Commissioner for PwDs; and Mr. K.R. Pradhan, Assistant Commissioner, O/o State Commissioner for PwDs Email: bmbchettri1954@gmail.com

32.	Telangana	Ms. B. Shailja, Director (Disabled Welfare), Department for Empowerment of Persons with Disabilities, Senior Citizens & Transgender Persons Government of Telangana Email: cdwtghyd@gmail.com
33.	Tripura	Mr. Tapas Ray, IAS, Secretary, Social Welfare & Social Education Government of Tripura Email: secretaryobcminority@gmail.com
34.	Uttar Pradesh	Dr. Himanshu Shekhar Jha, SCPD, Government of Uttar Pradesh Email: commissioner1998@rediffmail.com Mr. Jayanth Yadav, Joint Director (Divyangjan) O/o State Commissioner for Persons with Disabilities, Government of Uttar Pradesh
35.	Uttarakhand	Mr. G.R. Nautiyal, Joint Director, Samaj Kalyan Department, Government of Uttarakhand, Email: directorsocialwelfare@gmail.com
Specia	I Appearance	·
1.	DEPWD	Ms. Varsha Naik, Director, Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment, Email:

2 <u>**RECORD OF PROCEEDINGS**</u> - The representatives from the following States and Union Territories submitted their versions:

2.1 **Himachal Pradesh:** The representative submitted that 31 institutions have been registered and their details along with the rules for registration have been uploaded on the website of the State. In addition to this, three applications from the institutions are pending for registration out of which one is for renewal.

2.2 Karnataka:

2.2.1 The representative submitted that at present there are 292 institutions

that are registered under the Act and their details are also uploaded on the website. In a reply to a question, he said that on an average the process of renewal takes seven to ten days' time. However, there are 37 such institutions whose validity of registration has expired and they have not yet applied for renewal.

2.2.2 The Court suggested the representatives to get the matter inquired into and lodge an FIR against the institutions that might be operating without renewal of their institutions from their respective premises and violating the law; and also let the general people know about that. The Court further advised to upload on the website the names of the institutions whose registrations have expired and are due for renewal. The representative assured the Chief Commissioner that action as suggested by the Court will be taken within one week.

2.3 Telangana:

The representative submitted that 60 institutions that are registered have been uploaded on the website. There are 86 institutions whose registrations are due for renewal. One fresh application is pending for registration. With regard to the rejected applications, and all other data to be uploaded on the website, the representative said that all the data with requisite parameters would be submitted within 15 days as well as uploaded on the website also.

2.4 Andhra Pradesh:

The representative submitted that 110 institutions are registered under DDRS; 67 institutions have been renewed; 41 fresh applications for registration have been received; and 02 cases have been revoked. The format for registration/renewal has been provided to the District to maintain the registration. The rules of registration are available on the website of the State. The full details are available on the website.

2.5 **Uttarakhand:** The representative submitted that a total of 39 NGOs are registered in the State. However, the details of only 13 NGOs registered under DDRC have been uploaded on the website of the State. The representative assured that the complete data would be uploaded to the website within 15 days.

2.6 **Sikkim:** The representative submitted that there are only 03 NGOs that are registered in the State. The main reasons for this negligible number are a lack of qualified professionals and limited funds. Only one NGO has been registered under the National Trust Act.

2.7 **Manipur:** The representative submitted that a total of 127 NGOs are registered. Out of which 42 NGOs have ADIP certification. 85 NGOs have applied for renewal. The details particulars of NGOs have been uploaded on the website.

2.8 **Meghalaya:** The representative submitted that 24 NGOs are registered in the State.

2.9 **Kerala:** The representative submitted that a total of 646 NGOs are registered in the State out of which 47 were rejected for not following the norms of registration. 24 applications of registration are under process and 29 have applied for renewal.

2.10 Andaman & Nicobar Islands (UT): The representative submitted that only one NGO was registered under the National Trust Act, 1999. The Department is maintaining a home for divyangjan which is registered under the Juvenile Justice (Care and Protection of Children) Act, 2015. The details of the NGOs have been uploaded on the website of the UT.

2.11 **Puducherry:** 20 NGOs are registered and the details are uploaded on the website of the Social Welfare Department of UT of Puducherry.

2.12 **Jammu & Kashmir:** The representative submitted that 22 institutions are registered in the UT and 03 applications for registrations are under process. In two districts, namely, Bandipore in Jammu Division; and Kathua in Kashmir Division, no institution is registered.

2.13 **Odisha:** The representative of Odisha requested for more time to make the data available.

2.14 **Delhi:** The representative submitted that 99 NGOs are registered in the GNCTD out of which the details of 87 NGOs are uploaded on the website of the Social Welfare Department. He also submitted that the complete details of the NGOs will be uploaded on the website within two days.

2.15 **Arunachal Pradesh:** The representative submitted that a total of 21 institutions are in the State out of which 20 institutions are registered. These institutions are not getting government grants.

2.16 **Gujarat:** The representative submitted that 221 NGOs are registered in the State. He further informed that the online registration system is active in Gujarat and the interested NGO/institution applies online. After receiving the application, the same is examined by the District Officer and thereafter a certificate of registration is issued to the concerned District Officer.

2.17 **Bihar:** The representative submitted that a total of 51 NGOs are registered in the State, 05 applications for registration have been rejected; 01 NGO has been black-listed; and the validity of 12 registrations has expired. All the details are uploaded on the website.

2.18 **Tripura:** The representative from Tripura could not get connected.

3 After hearing the representatives the Court directed as under:

(a) All the States/Union Territories including those who did not appear in this hearing will upload the details of the institutions on their respective websites of the Social Welfare Department in the prescribed format and share the link of the same to this Court within seven days from the date of receipt of this Record of Proceedings.

(b) The Court apprised that whichever district in the country does not have any NGO registered for persons with disabilities, a special provision would be made in the ADIP Scheme, and National Trust Act that the first NGO that gets registration in such a district, funding would be started, recommendation would be given, and three years' criteria would be relaxed. The necessary instructions will be issued very soon from the stakeholders.

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

Digitally signed by Praveen Prakash Ambashta Date: 11-11-2024 22:52:47





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 5th 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

... Complainant

Case No. CCPD/15681/1041/2024

In the matter of —

Ms Richa Kumari

Versus

- (1) The Principal,
 Dr. Jagannath Mishra Mahavidyalaya,
 Muzaffarpur, Bihar ... Respondent No.1
- (2) The Secretary Central Board of Secondary Education ... **Respondent No.2**

Hearing:

A hearing was conducted on **29.11.2024** in hybrid mode (offline/online through video conferencing) at the Office of the Secretary, Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment, Room No. 529, B-III Wing, Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi. The following parties/representatives were present during the hearing:

	Name of the parties/	Mode of	
	. Representatives	Presence	
Fro	From Complainant:		
1.	Ms. Richa Kumari, Complainant	Online	
Fro	om Respondent No.1		
1.	Shri Binod Kumar Chaudhary,	Online	
	Principal,		
	Dr. Jagannath Mishra Mahavidyalaya, Muzaffarpur		
	(Bihar)		

μ	- rom	Respondent No.1:	
F	1. M	ls. Sandhya Tyagi,	Online
	U	nder Secretary, CBSE	

Both the parties were heard and the order was reserved. The parties were directed to submit their brief written submissions, if any, within three (03) days from the date of receipt of this Record of Proceedings.

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

Digitally signed by Praveen Prakash Ambashta Date: 29-11-2024 23:22:26





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 5th 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. 15788/1024/2024

In the matter of -

Suo-motu

Versus

The Secretary, Department of Personnel & Training and 29 Others

Hearing (I):

A hearing was conducted on **13.11.2024** in hybrid mode (offline / online through video conferencing) at the Office of the Secretary, Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment, Room No. 529, B-III Wing, Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi. The following parties/representatives were present during the hearing:

Resp	esp. Name & Designation of the Representative		
No.		Mode of Presence	
16	Mr. Krishna Tiwari, Prov. Admin.	Online	
	Indian Railways Institute of Transport Management, Lucknow		
18	Mr Vivek Srivastava, Director,		
	National Statistical Systems Training Academy		
	(Training Academy of Indian Statistical Service), New Delhi		
21	Mr. Shreyas Patel,	Online	
	Joint Director,		
	National Institute of Defence Estates Management, New Delhi		
22	Mr. Anand Agrawal, IDAS, Director,	Online	
	National Academy for Defence Financial Management, Pune		
25	Dr. Sakkeer Hussain,	Online	
	Sr. Professor,		
	National Academy of Indian Railways, Vadodara		
27	Mr. Manish Gupta, Director (Estt.)	Online	
	National Telecom Institute for Policy Research, Innovation and		
	Training, Ghaziabad		
29	Mr. Senathil Kumaresan,	Online	

	Sr. Security Commissioner/Training, Sri Jagjivan Ram Railway Protection Force Academy, Lucknow	
30	Mr. Manoj Kumar, Registrar & Director (Admn);	Online
	Dr. Kathiresan, Associate Professor & Head, Incharge Training Division; and	
	Dr. Digambar Chimankar, Associate Professor & Head, Incharge (Centre for Equity and Social Development), National Institute of Rural Development and Panchayati Raj, Hyderabad	

At the very outset, the Court underscored the role of training managers and training providers in the empowerment of all disadvantaged groups of society, including Persons with Disabilities. The Court drew the attention of the respondents to the specific provisions of the Rights of Persons with Disabilities Act, 2016 [in short "the Act"] which mandates human resource development for achieving the objectives of the Act, the UNCRPD, and other legislations such as the RCI Act, 1992, and the National Trust Act, 1999. The Court emphasised that the role of training establishments is critical in the empowerment of persons with disabilities as these are the factories where the bureaucracy of the nation is manufactured.

2. The Court shared its experience that a large number of complaints filed before it are against government establishments on the issues of recruitment (sections 33 & 34), conditions of service (sections 20, 21, 22 & 23), accessibility of built environment and digital contents (sections 39, 40, 42, 44, 45 & 46) and admission to schools and institutions of higher education (31 & 32). The high number of litigation points to the need to increase awareness (section 39) and human resource development (section 47), which can not be met without active support from the training establishments. The Court was particularly keen on working on the reduction of attitudinal barriers through positive portrayal of persons with disabilities, who are high achievers. Their lived experiences of struggle and accomplishments can bring the desired sensitisation amongst the officers.

3. The Court expressed its dissatisfaction that despite the mandatory nature of Section 47, the training interventions have not been used in a structured manner by the training managers and providers. The Chief Commissioner also shared that in his tenure both as the Secretary of the Department of Empowerment of Persons with Disabilities and as the Chief Commissioner, none of the cadre controlling authorities, or the training establishments has reached out for any assistance such as the development of course contents or suggesting any resource person or a high achiever from the community of PwD for any interaction with their trainees. The Court, however, clarified that these proceedings, which will continue with hearings scheduled at intervals of every three months, have been instituted with a collaborative approach, at least to start with. The Chief Commissioner offered the support of his office to all the respondent institutions and

organisations in their endeavour for the fulfillment of their statutory obligations.

4. Almost all the representatives of the respondents got an opportunity to put up their versions during the hearing. But except a few most of the representatives affirmed that the issues of persons with disabilities in their training programme were not included. Some of them asserted that this hearing was an eye opener for them and assured that they will include the disabilities component in their training programs.

5. The respondents were advised as under:

(a) Review the induction and orientation/mid-career training design and include sessions on the provisions of the Act and sensitization on disability matters with a specific plan for interaction with high achievers from PwD communities;

(b) Share the revised plan with the Office of Chief Commissioner for Persons with Disabilities [CCPD]

(c) Consult with the O/o the CCPD and the DEPwD for designing the course content and for finalizing resource persons including high achievers.

(d) Ensure that the campus of the training institutions and all facilities including the digital contents are training materials are accessible to all types of persons with disabilities.

(e) Ensure that the training establishments do not resort to granting exemption from mandatory training programmes to persons with disabilities to cover their inability to provide training in an inclusive and accessible manner.

6. The respondents were also advised to submit the information & documents within seven (15) days in the following format :

Case No. 15788/1024/2024

A. Status of Implementation of sections 39 and 47 of the Rights of Persons with Disabilities Act, 2017 as per the Academic/Training Calendar for the years 2021-2024

Title of	Total number	Title of	Total number of	Details of Resource
Training	of sessions'	Session	sessions' durations of	Persons who
Program	duration (in	on	session on disability	conducted the session
	hours)	Disability	matter (in hours)	on disability matters
		matters		
(1)	(2)	(3)	(4)	(5)

B. Status of Implementation of Accessibility sections 40, 42, 44, 45 & 46 of

the Rights of Persons with Disabilities Act, 2016 -

(As on date) Whether the following places are Status Whether an Access Audit Remarks accessible as per Chapter VIII of the has been done? If yes, Act read with Rule 15 of the RPwD the date and the outcome of the audit Rules (a) Classroom (b) Faculty Room (c) Library (d) Administrative Block (e) Toilets (f) Hostel & Hostel Rooms (g) Dining area (h) Auditorium (i) Transportation facility Playgrounds (j) (k) Websites/Portal/Mobile Applications

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

Digitally signed by Praveen Prakash Ambashta Date: 21-11-2024 14:28:23