



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

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

Case No. 14013/1014/2023

In the matter of —

Mr Babulal

... Complainant

Versus

The Director,
 Bhabha Atomic Research Centre,
 Mumbai

... Respondent

Hearing (I):

A hearing was conducted on **06.02.2025 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 |
|--------------------------|---|------------------|
| From Complainant: | | |
| 1. | Mr Babu Lal, Complainant | Online |
| From Respondent: | | |
| 1. | Ms J.C. Jacob, Dy Establishment Officer, BARC | Online |

RECORD OF PROCEEDINGS

During the hearing, the Complainant reiterated his grievance that he was denied selection despite clearing both the phases of written tests and told that since he could not qualify under OBC category and the ibid post-Work Assistant/A was not notified suitable for Persons with Benchmark Disabilities [PwBD], his

selection was denied.

2. The representative appearing for the Respondent relied on the written reply filed on record. However, in reply to a question, the representative submitted that since there was no shortfall of vacancies for PwBD, no post was reserved for PwBD out of the total seventy-four (74) vacancies advertised by the Respondent.

3. After hearing the parties, it was observed that in the advertisement published for the *ibid* post it was written *that this post is identified for persons with benchmark disability (as per Government of India Orders). Identified Disability: Orthopedically Handicapped (One leg/One Arm Affected), Hearing Handicapped (Partially Deaf) and Visually Handicapped (Partially Blind). Reservation to the identified post for PWD will be as per Government of India Orders. Physical Disability should not be less than 40%*. But it was not mentioned in the advertisement how many post was reserved for PwBD as per the instructions issued by the Government.

4. As replied by the Respondent and as relied upon by the representative appearing during the hearing, it is the case of the Respondent that since they had already employed more than the required number of PwBDs employees in their organization and since there was no shortfall, it was not needed for them to reserve the seat for PwBD in the advertisement in question.

5. Prima-facie there appears to be a violation of Para 7 of the DoPT OM No. 36035/02/2017-Estt (Res) dated 15.01.2028. The Respondent was directed to furnish to this Court the following information/documents within fifteen (15) days from the date of issue of this Record of Proceedings —

(a) the details of the total employees group-wise and the details of the PwBD employees in their organization on the date of issue of the advertisement; and

(b) the Reservation Roster maintained by them since 1996 till the issue of the advertisement in question, in accordance with Para 15 of the DoPT OM dated 29.12.2005 and para 7.1 of the OM dated 15.01.2018.

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

**Digitally signed by
Praveen Prakash Ambashta
Date: 27-03-2025 00:51:10**

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



सत्यमेव जयते

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

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Case No. 15546/1041/2024

In the matter of —

Mr. Kovid Jaghdeo Manohar ... **Complainant**

Versus

The Director General,
Council of Scientific and Industrial Research,
New Delhi ... **Respondent**

Hearing (II):

A hearing was conducted on **24.03.2025** in hybrid mode (offline / online through Video Conferencing). The following parties were present during the hearing:

| Sl. No. | Name & Designation of the Parties / Representatives | Mode of appearance |
|--------------------------|--|--------------------|
| From Complainant: | | |
| 1. | Mr. K.J. Manohar, Complainant | Online |
| 2. | Advocate Rahul Bajaj, Counsel for the Complainant | |
| From Respondent: | | |
| 1. | Mr Suprakash Halder, Deputy Secretary, CSIR | Online |

RECORD OF PROCEEDINGS

Both parties were heard.

2. The Court expressed its deep concern that despite the lapse of considerable time, the Respondent did not submit the inquiry report. The Court was not inclined to accept the argument of the Respondent that the candidate/Complainant, a resident of Nagpur (Maharashtra), who traveled to Bhopal (Madhya Pradesh) to appear in his examination, did not have the requisite documents in original to show in the First Sitting of the examination for getting the scribe, but he could produce the same in the second sitting.

3. The Respondent is directed **to submit the inquiry report by Friday, 28.03.2025**, failing which the Court will be constrained to issue summons to the Director General, CSIR for personal appearance in the next hearing in terms of powers conferred upon it under Section 77 of the Rights of Persons with Disabilities Act, 2016.

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

**Digitally signed by
Praveen Prakash Ambashta
Date: 25-03-2025 16:21:42**

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



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)
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भारत सरकार/Government of India

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Case No. CCPD/15564/1141/2024

In the matter of —

Suo-motu cognizance regarding the 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/Joint Secretary (Policy)
- (2) The Secretary,
Department of School Education & Literacy,
Ministry of Education,
- (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],
- (5) The Chairman/Member Secretary,
Rehabilitation Council of India (RCI),
- (6) The Secretary,
Central Board of Secondary Education [CBSE]
- (7) The Director,

Ali Yavar Jung National Institute of
Speech and Hearing Disabilities (Divyangjan) [AYJNISHD]
Mumbai

- (8) The Director,
Indian Sign Language Research & Training Centre [ISLRTC],
- (9) The Chairperson,
National Council for Teacher Education,
- (10) The Chairperson,
National Institute of Open Schooling (NIOS),

Hearing (III):

A 3rd hearing was conducted on **16.01.2025** in hybrid mode (Offline / Online through Video Conferencing). The following parties/representatives were present during the hearing:

| Res. No. | Name of the Respondents | Name of the parties/representative appearing in the hearing | Mode of appearance |
|----------|--|---|--------------------|
| 1. | Department of Empowerment of Persons with Disabilities, M/o Social Justice & Empowerment | None appeared | --- |
| 2. | Department of School Education & Literacy, Ministry of Education | None appeared | --- |
| 3. | The Principal Secretaries, Education Departments of all States / Union Territories, Through: The Chief Secretaries | | -- |
| | (1) A & N Islands | Dr. Nitin Shakya, Director, Social Welfare Department, A & N Islands | Online |
| | (2) Haryana | Smt. Alka Yadav, Joint Director, Social Justice & Empowerment Department, Haryana | Online |
| | Kerala | The Joint Director, General Education Department, Kerala | Online |
| | (3) Meghalaya | Mr R. Passah, | Online |

| | | | | |
|-----|---|---------|---|--------|
| | | | Assistant Commission for PwDs | |
| | (4) | Tripura | Mr Kali Prasad Chakma, School Education Department, Tripura | Online |
| 4. | National Council of Educational Research and Training [NCERT], New Delhi | | 1. Prof. Rajendra Pal, CIET-NCERT 2. Prof. Bharti, CIET-NCERT | Online |
| 5. | Rehabilitation Council of India | | Mr. Manish Kumar, Legal Consultant, RCI | Online |
| 6. | Central Board of Secondary Education [CBSE], New Delhi | | Dr. Pragya Verma Dy. Secretary (Academic Unit), CBSE | Online |
| 7. | Ali Yavar Jung National Institute of Speech and Hearing Disabilities (Divyangjan) [AYJNISHD], Mumbai | | None appeared | --- |
| 8. | Indian Sign Language Research & Training Centre [ISLRTC], New Delhi | | Mr Sanjay Kumar, DD(A), ISLRTC | Online |
| 9. | National Council for Teacher Education, New Delhi | | None appeared | --- |
| 10. | National School of Open Schooling, Noida | | None appeared | --- |

RECORD OF PROCEEDINGS

At the very outset, the Court apprised the respondents that few children with hearing impairment are able to do graduation. It is a matter of concern as to why deaf students are finding it difficult to read and write languages such as Hindi and English. The reason mainly lies in the lack of teachers trained to teach and even communicate with deaf children. So far Indian Sign Language [ISL] teachers and ISL interpreters have played an important role. The NCERT, along with its platforms such as the Diksha & Nishtha are also making significant contributions

supported by their counterparts in the states.

2. The representatives were then asked to brief the Court about the progress made in this area by their respective establishments.

(A) NCERT: The representative from NCERT said that an ISL Channel was launched on 08.12.2024 under PM e-Vidya and fresh content of three hours is going on air. They also submitted that efforts are being made to increase the content population with the help of the ISLRT, NIOS, and other stakeholders.

The NCERT has recently conducted a meeting with all stakeholders on this subject and the stakeholders were requested to submit their content so that it could be scheduled for telecast. The NCERT is in close collaboration with other departments for the development of the ISL curriculum. Currently, recordings for materials in the ISL are being done simultaneously in four studios. Some videos are on the editing table. On PM e-Vidya channel, live sessions on inclusive education are being run every day from 12 to 12.30 pm. Besides, a session on Yoga is being conducted every day between 8 to 8.45 am with sign language interpretation.

(B) ISLRTC: The representative submitted that 100 concept videos of Class-VI, VII, and VIII have been shared with the NCERT for running on the PM e-Vidya Channel. Recording is also going on for 100 videos for class 6, 77 for class 7 and 8 for class 8, i.e. for a total of 185 videos are currently under preparation.

(C) CBSE: The CBSE has constituted a Core Committee on the issues. But, they require guidelines from the NCERT. The course of CBSE is based on the curriculum of NCERT. The representative raised a concern that though the course of 9th and 10th are integrated, the NIOS has been able to make available only a one-year course.

3. After hearing the parties the Court expressed its concerns that the HI students are losing on account of multiplicity of agencies. It was observed that the NCERT has developed a curriculum for ISL from Class I to Class XII as a language. As per the representative of NCERT, it has already been given in its guidelines as to how to teach language in a holistic manner. This could help a lot in preparing the curriculum of ISL from Class-I to XII.

4. The Court recommended to the CBSE to design and organise a two days' workshop in collaboration with the NCERT, the ISLRTC, and the NIOS for the

development of a Curriculum for Indian Sign Language as a language from Class-I to Class-XII within 10 days and submit a report to this Court. They may invite other stakeholders if they deem fit.

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

**Digitally signed by
Praveen Prakash Ambashta
Date: 27-03-2025 01:24:31**

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



सत्यमेव जयते

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)

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Case No. CCPD/16037/1033/2025

In the matter of —

Suo-motu

Versus

The Joint Secretary (Scholarship)

Department of Empowerment of Persons with Disabilities,

Ministry of Social Justice & Empowerment, New Delhi

& 32 concerned States/UTs and Others (As per the List)

Hearing (II):

A 2nd hearing was conducted on **24.03.2025 in hybrid mode** (Offline / Online).

RECORD OF PROCEEDINGS

The parties were heard.

2. Responses to the Record of Proceedings dated 13.03.2025 were received from the IIT Madras, Chennai, and governments of Puducherry, Uttar Pradesh, and West Bengal and Puducherry. The same was discussed and analysed. However, it was observed that many States have still not taken any action as per the said Record of Proceedings for the hearing conducted on 10.03.2025. The Court while expressing its concerns that eligible candidates are being deprived of their dues for

want of the necessary clearance from the institutions concerned and the state nodal officers or due to the technical issues despite submissions of all requisite documents in time.

3. The Court reiterated that the pending applications of scholarship are either required to be verified and recommended for release of scholarship or rejected with the reasons to be recorded in the written submissions of the parties by **17:00 Hrs. on 27.03.2025**, failing which this Court will be constrained to impose the first level penalty of ₹10000/- as per Section 89 of the Rights of Persons with Disabilities Act, 2016.

4. The Court also directed to implead the Secretary, DBT Mission, and the Officer-in-Charge of NSP at the NIC and issuance of notice to them for a hearing where officers from the DEPwD shall also be present. The Court further directed that the policy of the scholarship be relooked by the DEPwD to remove any redundancy and make it more efficient. The Court was particularly intrigued about the rationale for the need for SNO's recommendation in a scheme fully funded by the central government.

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

**Digitally signed by
Praveen Prakash Ambashta
Date: 25-03-2025 16:14:07**

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

MEMO OF PARTIES

Case No. CCPD/16037/1033/2025

In the matter of —

Suo-motu

Versus

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- (14) The State Commissioner for Persons with Disabilities
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Email: commpwd.cg@gmail.com
- (15) The State Commissioner for Persons with Disabilities
Government of Dadra and Nagar Haveli and Daman and Diu
Email: sw-dnh@nic.in; collector-dnh@nic.in
- (16) The State Commissioner for Persons with Disabilities
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- (17) The State Commissioner for Persons with Disabilities
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Email: dis-comm.goa@gov.in; (Office)
grpawaskar@gmail.com (SCPD)
- (18) The State Commissioner for Persons with Disabilities
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- (19) The State Commissioner for Persons with Disabilities
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- (20) The State Commissioner for Persons with Disabilities
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_____iqballone@gmail.com
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- (26) The State Commissioner for Persons with Disabilities
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- (29) The State Commissioner for Persons with Disabilities
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