



न्यायालय मुख्य आयुक्त

COURT 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 and Empowerment

भारत सरकार/ Government of India

Case No. CCPD/15404/1092/24

Dated: 21/07/2025

In the matter of —

Suo-motu cognizance regarding deficiency in adequate number of skilled persons with disabilities from amongst skilled manpower registered on PM-DAKSHA (Pradhan Mantri Dakshta Aur Kushalta Sampann Hitgrahi) Yojna

Versus

- (1) The Chief Executive Officer, National Skill Development Corporation,
- (2) The Chairperson, National Council for Vocational Education and Training,
- (3) The Secretary, Ministry of Skill Development and Entrepreneurship,
- (4) The Chief Executive Officer, Skill Council for Persons with Disability
- (5) The Joint Secretary, Department of Empowerment of Persons with Disabilities

1. Hearing (III):

A hearing was conducted on 11.07.2025 in hybrid mode. The following parties/representatives were present during the hearing:

| Sl. No. | Name of the parties /Representatives | Parties | Mode |
|---------|--------------------------------------|---------|------|
| | | | |

5वीं मंजिल, एनआईएसडी भवन, प्लॉट न०. जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष: 011-20892364, 20892275
5th Floor, NISD Building, Plot No.G-2, Sector-10, Dwaraka, New Delhi-110075;Tele# 011-20892364, 20892275

E-mail: ccpd@nic.in; Website: www.ccdisabilities.nic.in

(पया भविष्य मे पत्राचार के लिए उपरोक्त फाईल/केस संख्या अवश्य लिखे)

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| | | | |
|----|--------------------------------|---------------------|--------|
| 1. | Adv. Shagun S. Chugh | For Respondent No.1 | Online |
| 2. | Col. Vikram Singh Bhati, NCVET | For Respondent No.2 | Online |

1.1 The Court was informed that the last hearing in the matter was conducted on 16.01.2025, wherein the Court had asked the Respondents to identify more courses for persons with disabilities, furnish a report on compliance with the 5% quota for PwDs in terms of Section 32 of the RPwD Act, 2016 and sought an **Action Taken Report (ATR)** within **one month**. The Court expressed its displeasure over the fact that there has been no apparent development in the case since the last hearing. The Court also noted with concern that there has been continuous non-appearance and non-representation on behalf of Respondent No. 3, and no departmental officer has been attending the hearings on behalf of Respondent No. 1 either.

1.2. The Court noted the importance of skill training for PwDs to create more opportunities for them, as the employment opportunities in government jobs are limited. It cited the Judgment in Indira Sawhney Case, wherein the Hon'ble Supreme Court has held that, unlike the reservation for backwards classes under Article 16 (4) of the Constitution, the reservation for Persons with Disabilities comes under Article 16 (1). In other words, the objective of the reservation for persons with disabilities is to equalise their opportunities, and the scope of their reservation goes beyond the scope of appointment and office; it is to be ensured in all employment opportunities. The Court cited the examples of training in agricultural and horticultural vocations, where children with intellectual disabilities can be employed as Assistants to the Caretaker of Plants, for routine and repetitive work like watering, weeding, etc. Similar training can be thought of in other vocations as well. The agencies and authorities involved in these activities are expected to understand their roles and rise to the expectations of society.

1.3 The learned Counsel appearing on behalf of the Respondent No. 1 informed the Court that there has been a change in the top management recently, and there is no CEO at present. The Court made it clear that these proceedings are not adversarial, at least to start with. The primary objective of

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these proceedings is not to assign blame to any authority, but to identify gaps from all possible perspectives and find solutions. As such, the presence of conversant and competent officers from the department is crucial. The Court was not convinced by the explanation of the learned counsel.

1.4 The Court concluded that the evident lack of empathy needs to be addressed by invoking the penal provisions of the RPwD Act. It imposed a fine of ₹10,000/- on the Respondent No. 1 in accordance with Section 89 of the Act for their failure to furnish information sought by this Court and for their failure to nominate a departmental officer to appear during the hearing. The amount of penalty shall be deposited in the National Fund for Persons with Disabilities as per the account details given hereunder within 7 days of receiving this record of proceedings:

| | |
|-----------------------|--|
| Name of the Account | National Fund for Persons with Disabilities |
| Account Number | 39592688649 |
| Bank Name and Address | State Bank of India, Shastri Bhawan, New Delhi |
| IFSC | SBIN0050203 |

1.5 The Court also observed that there have been complaints from the Divyang students, and institutions run for them have communicated that some of the assessors of NSDC Sector Skill Council have absolutely no experience or sensitivity in handling Students with special needs. No reasonable accommodations are provided, and method of holding exam is also not suitable many times. It is essential that pedagogical methods and exam methodology is suitably modified for different kinds of disabilities. The Court directed DePWD to share further details with the NCVET, MSDE, SSCPWD and NSDC for improvements in these areas. The Court decided to give **two weeks' time** to the Respondent No.1 from the date of issue of this RoP to comply with the directions of the Court.

1.6 The Respondents shall furnish the following details **on or before 24.07.2025:-**

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- (a) The total number of approved courses and/or projects along with their validity periods;
- (b) Number of approved projects/courses declared suitable for PwDs along with their validity periods;
- (c) Year-wise details of the number of trainees/students with disabilities, who are currently undergoing the courses and those who have passed/certified;
- (d) Number of trainees/students who failed to complete the course;
- (e) Details of reasonable accommodations provided to the trainees/students during their course and the examination process, including the design of the assessment parameters (e.g. MCQs-non graphical, non-image based questions, etc.).
- (f) The total number of teachers and researchers and the details of teachers' training programmes
- (g) Details of grievance redressal mechanism, including precautions, preventive steps for ongoing probable cases of discrimination in the training and assessment process.

1.8 The next date of hearing is fixed for **25.07.2025 and 10:30 onwards, which shall be offline (physical) at the Conference Room, Department of Empowerment of Persons with Disabilities, 5th Floor, Antyodaya Bhawan, CGO Complex, New Delhi.** The CEO, NSDC, the IT Head of the NSDC, along with the agencies running their websites and portals, shall be present in person. The CEO of SCPwD shall also be present. In view of the importance of the case, this Court may be constrained to initiate a separate proceeding against the agencies mentioned above to fix accountability of all concerned officials, including the heads/CEOs.

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

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Yours faithfully,

(Praveen Prakash Ambashta)
Dy. Chief Commissioner

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