



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. CCPD/15449/1141/24

In the matter of-

Suo-motu cognisance to review 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

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 UTs

..Respondent No. 1

Department of Empowerment of Persons with Disabilities,

Ministry of Social Justice & Empowerment,

Through, Joint Secretary

(In charge of DDRS/DDRC/ADIP/DALM Schemes),

New Delhi

...Respondent No. 2

Department of Expenditure,

Ministry of Finance,

New Delhi

...Respondent No. 3

The Joint Secretary & Financial Advisor,

Department of Empowerment of Persons with Disabilities (Divyangjan),

Ministry of Social Justice and Empowerment,

New Delhi

...Respondent No. 4

The Director General,
National Informatics Centre (NIC),
New Delhi

...**Respondent No. 5**

The Secretary,
Department of School Education & Literacy,
Ministry of Education, New Delhi

...**Respondent No. 6**

The Member Secretary,
Rehabilitation Council of India,
New Delhi

...**Respondent No.7**

1. Introduction

1.1 This suo motu proceeding is initiated under **Sections 75(1)(a) & 75(1)(b) read with Section 77** of the *Rights of Persons with Disabilities Act, 2016* (“RPwD Act”) to examine systemic issues impacting Central schemes administered by DEPwD—**DDRS, DDRC, and ADIP-SSA/DALM**—including delays on the e-Anudaan portal, non-standard processing at State/District levels, misuse of RCI-recognised staff, payments below minimum wages, and irregular compliance with UDID-linked eligibility. The Commission’s mandate to inquire and recommend corrective measures is exercised in aid of **Chapter V (Social Security, Health, Rehabilitation, etc.)** and other enabling provisions of the Act.

2. Summary of Responses

2.1 Written submissions and oral updates received across hearings show: (i) portal downtime/non-functioning and requests for physical documents despite the online model; (ii) objections beyond scheme guidelines; (iii) deployment of RCI-recognized professionals for clerical work; (iv) instances of sub-minimum honoraria; (v) status updates on DDRC/DDRS coverage (e.g., Karnataka, Manipur, Goa); (vi) DEPwD’s formation of study teams, release of pending funds, and provision of calculation sheets via e-Anudaan; (vii) RCI’s scheduling/approval of educator trainings; and (viii) mixed progress on ADIP-SSA/DALM assessments and distributions reported by States/UTs/ALIMCO.

3. Dates of hearings

3.1 Hearings were held on **07.08.2024 (Hearing-I)**, **28.01.2025 (Hearing-II)**, **19.06.2025 (Hearing-III)**, and **25.07.2025 (Hearing-IV)**; interim notices (including **22.01.2025** regarding ADIP-SSA/DALM) and Records of Proceedings were issued between sittings.

4. Summary of Proceedings Hearing-I (07.08.2024):

4.1 This Court flagged critical impediments: persistente-**Anudaan** downtime; insistence on physical documents; non-speaking objections; misuse of RCI-recognised staff; and honoraria below **minimum wages**. NIC/DEPwD were directed to file action-taken reports on portal uptime and **accessibility audit**; DEPwD was asked to study State models (e.g., Karnataka), standardise evaluation parameters, and ensure performance-linked service delivery. RCI was tasked to plan intensive capacity-building for special educators.

4.2 **Hearing-II (28.01.2025) & interim steps (Jan–Feb 2025):** DEPwD reported fund flows restarting (~₹50–60 crore), constitution of two-member study teams, and availability of **calculation sheets** to NGOs on e-Anudaan; NIC submitted a compliance note; RCI filed training program approvals/roll-outs. The Commission directed accountability for portal outages, strict action against employment of professionals without valid **CRR** numbers, and clarification to avoid excluding **children under six** without UDID under ADIP. ALIMCO was instructed to file field-level impact reports.

4.3 **Hearings-III & IV (19.06.2025; 25.07.2025):** The Commission reviewed DEPwD's processing status, "pulled-up cases," and remaining friction points (e.g., "new" vs "ongoing" category errors); required NIC to enable controlled **minor corrections** to prevent arbitrary rejections; sought consistency between sanction order conditions and the EFC note; and stressed welfare integration (mid-day meal coverage for DDRS-funded schools), standardized information boards, bulk-SMS to parents, 200-point functional progression tracking for ID/CP, TLM availability, and three-day zonal trainings for DDRS staff. Persistent misuse of staff and payment below minimum wages were recorded as serious compliance concerns warranting time-bound rectification.

5. Observations

5 . 1 **Statutory duty and scheme integrity.** Chapter V of the RPwD Act obligates Appropriate Governments to ensure effective social security, health,

rehabilitation, and related services to persons with disabilities. Administrative bottlenecks (portal downtime, paper requisitions), non-standard objections, and delayed disbursements frustrate these mandates.

5 . 2 Professional standards and fair remuneration. Use of **RCI-recognized** professionals for clerical tasks and payment **below notified minimum wages** undermines service quality and violates labor standards. Funding flows must be conditional on role-appropriate deployment and statutory wage compliance.

5 . 3 Digital process and accessibility. e-Anudaan, as the transacting backbone, must be **functional, accessible (GIGW/WCAG-aligned)**, and support controlled minor rectifications (e.g., application category toggles) to prevent unjustified rejections.

5.4 Eligibility safeguards. UDID integration must not exclude **sub-six** children or similarly situated beneficiaries where medical/administrative realities delay issuance; clarity and interim pathways are necessary to avoid denial of aids/appliances.

5 . 5 Judicial reinforcement. The Supreme Court has consistently mandated operationalization of disability rights and removal of procedural barriers—see **Rajive Raturi v. Union of India** (accessibility compliance, continuing directions) and **Vikash Kumar v. UPSC** (reasonable accommodation as a right)—which inform the present enforceability posture: administrative convenience cannot dilute statutory entitlements or accessible service delivery.

6. Recommendations

6.1 e-Anudaan reliability and accessibility-

(a) NIC to deploy **e-Anudaan 2.0** with published **accessibility audit** (GIGW/WCAG) and uptime SLAs; publish downtime logs and remediation within 24 hours.

(b) Replace inaccessible CAPTCHA; ensure keyboard navigation, alt-labels, and error-handling; certify fixes via independent auditors.

6.2 Processing discipline and minor-error gateway-

(a) Permit **controlled minor corrections** (e.g., “new/ongoing” category, typographical metadata) by authorised DEPwD officers with audit trails to prevent avoidable rejections.

(b) Bar **non-speaking** objections; mandate standardised **checklists** tied to scheme guidelines; auto-notify NGOs with itemised calculation sheets for deductions.

6.3 Professional deployment and remuneration-

(a) Make **payment of at least State Minimum Wages** an **unwaivable funding condition**; incorporate wage-compliance certificates into sanction/renewal. While DePWD funding is like Viability gap Funding, the concerned NGOs or State Governments must ensure that Minimum wages are paid.

(b) Prohibit deployment of **RCI-recognised** staff on clerical tasks; link tranche release to role-appropriate utilisation; DEPwD/RCI to **debar** entities engaging unlicensed/expired-CRR professionals.

6.4 Coverage, equity and child-first safeguards-

(a) Issue a **clarificatory order** that the absence of UDID shall not bar **children under six** from ADIP-SSA benefits where assessment is otherwise complete; provide a **time-bound UDID facilitation** track.

(b) Integrate **mid-day meal** coverage for DDRS-funded special schools through coordination with Education Departments; file implementation status.

6.5 Capacity-building and quality assurance-

(a) Implement **five-day residential trainings** (minimum 500 educators) and **three-day zonal trainings** for DDRS staff; publish annual calendars and completion data.

(b) Roll out a **functional progression tool** for ID/CP, disability-specific **TLM** provisioning, and standardised information boards in all funded

institutions.

6.6 **Field verification and transparency-**

(a) Senior DEPwD officers will conduct **documented field visits** with geo-tagged reports and quarterly sample verifications with parental feedback.

(b) Launch **bulk-SMS** updates to parents on enrolment, aids/appliances delivery, and grievance channels; publish **district-wise dashboards** (applications, approvals, TAT, rejections with reasons).

6.7 **Accountability and grievance redress-**

Fix accountability for portal failures and unlawful insistence on physical documents; record departmental action taken.

6.8 Compliance with Sections 76, 89, 93-All concerned Departments/Agencies shall **accept** these recommendations or file **reasoned non-acceptance** under **Section 76 within three months**. Failure to act may invite proceedings under **Sections 89 and 93** of the Act. If a respondent feels that the time provided under Section 76 is inadequate, it may file an **Implementation Plan within 30 days**, specifying milestones for each recommendation, responsible officers, and links to public dashboards; quarterly progress reports shall follow until full compliance.

7. Accordingly, the case is disposed of in these terms.

(Rajesh Aggarwal)
Chief Commissioner