OFFICE OF THE DISTRICT & SESSIONS JUDGE, SHAHDARA KARKARDOOMA COURTS, DELHI

No. 1164-68 /Admn./SHD/KKD/2020/Delh Dated: 20/02/2020

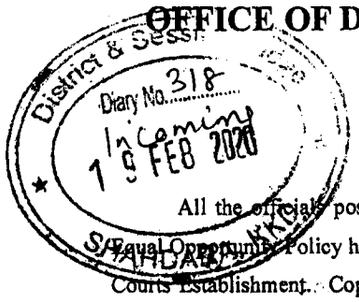
Copy of Circular bearing no. 6379-6529/448/Admn.II/Misc./2020, dated 18.02.2020 along with Equal Opportunity Policy framed for Persons with Disability employed in Delhi District Court Establishment, forwarded to:

1) All the Judicial Officers/ A.O (Judl.) / Branch-in-charge of Shahdara District with the request to circulate the same amongst the officials posted under their control/comply with other directions as contained in the said policy.
2) The Ld. ACJ/GRO of Shahdara District, Karkardooma Courts for necessary compliance.
3) Caretaking Branch, Shahdara District to display the same on the Notice Board and Conspicuous place in the premises of Karkardooma Courts Complex.
4) Dealing Assistant, Website Committee, Shahdara District, for uploading the same on the website.
5) PS to Ld. District & Sessions Judge, Shahdara District.

(Smita Garg)
Officer-in-Charge/ ADJ-02
Administration Branch, Shahdara District,
Karkardooma Courts, Delhi.

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19/2/2020

OFFICE OF DISTRICT & SESSIONS JUDGE : DELHI



CIRCULAR

All the officials posted in Delhi District Courts establishment are hereby informed that Equal Opportunity Policy has been framed for Persons with Disability employed in Delhi District Courts Establishment. Copy of the said policy is enclosed herewith. The said policy has been uploaded on Delhi District Court Website and Layers.

All the officials posted in Delhi District Courts establishment to apprise themselves of with the said policy and ensure compliance thereof.

Girish Kathpalia
17.2.2020

(Girish Kathpalia)
District & Sessions Judge(HQs)
Tis Hazari Courts, Delhi
17/02/2020

6379-6529/448
No. .....Admn.II/Misc./2020 **Dated, Delhi the .....** 18 FEB 2020

Copy forwarded for information and necessary action to :

1. The Registrar General Hon'ble High Court Delhi with information that Equal Opportunity Policy for Delhi District Court Establishment has been framed and registered with the Office of State Commissioner, GNCT Delhi and has been assigned registration **No. EOP/DL/Discom/75/2019.**
2. The District & Sessions Judge, West, New Delhi, East, North-East, Shahdara, South, South-East, North, North-West, South-West District & RACC Delhi/New Delhi with request to circulate the said policy amongst the staff posted under their kind control, display it on their District's website and at other conspicuous places of their district as well as comply with other directions contained in the said Policy. Convey the said Policy to Ld. ACJ/GRO of District Concerned/Complex for Compliance
3. Personal Office of the Ld. District & Sessions Judge(HQs), Delhi.
4. The Administrative Civil Judge, West, New Delhi, East, North-East, Shahdara, South, South-East, North, North-West, South-West District & RACC Delhi/New Delhi, for necessary compliance, in pursuance to Equal Opportunity Policy.

Ld. OIC (Admn.)

5. All the Judicial Officers/Sr. AO (Judicial)/AO (Judicial)/Branch Incharges, Central District, with directions to circulate the circular amongst the officials posted under their control/comply with other directions as contained in the said policy.

DJ SJ(SHD)
19/2/2020

6. The Dealing Assistant Website Committee Delhi for uploading the said policy on website.
7. Hindi Section, Room No. 262, Tis Hazari Courts, Delhi.
8. R&I Branch(Central) & Caretaking Branch(Central) with directions to co-ordinate with each other and display the said policy on notice board and at conspicuous places in the premises of Tis Hazari Court Complex.
9. LAYERS Section for uploading the same on LAYERS Software.

District & Sessions Judge(HQs)
Tis Hazari Courts, Delhi

DELHI DISTRICT COURTS ESTABLISHMENT

EQUAL OPPORTUNITY POLICY FOR PERSONS WITH DISABILITIES

Section 21 of the Rights of Persons with Disabilities Act 2016 mandates that:

(1) Every establishment shall notify Equal Opportunity Policy detailing measures proposed to be taken by it in pursuance of the provisions of chapter IV in manner as prescribed by the central govt.

(2) Every establishment shall register a copy of the said policy with the Chief Commissioner or the State Commissioner, as the case may be.

Therefore, in pursuance of the Section 21 of the Rights of Persons with Disabilities Act 2016 (herein after referred to as **"RPWD ACT"** 2016) and Rules 8, 9 and 10 under Chapter-IV w.r.t Employment of the Rights of Persons with Disabilities Rules 2017(herein after referred to as **"RPWDR"**) and under Rules 12, 13 and 14 under Chapter- V, w.r.t Vacancies for Persons With Benchmark Disabilities, the Delhi District Courts, Establishment frames the following Equal Opportunity Policy for Persons with Disabilities:-

Policy Statement:

The Delhi District Courts Establishment is committed towards eliminating all forms of discrimination (direct or indirect) and harassment and denial of reasonable accommodation to Persons With Disabilities (herein after referred to as **"PWDs"**).

(a) Facilities and amenities to be provided to the PWDs to enable them to effectively discharge their duties in the establishment- :

The Delhi District Courts Establishment aims to ensure that physical and digital infrastructure (buildings, furniture, facilities and services in the building) adheres to the

accessibility standards as prescribed by the Government of India. The newly constructed buildings of this establishment i.e. Saket Court Complex and Rouse Avenue Court Complex already adheres to RPWD Act 2016. The Establishment also aims to revamp its existing buildings to ensure strict compliance with the RPWD Act 2016. Provision of ramps, grab bars, and wider doorways to enable access to buildings and workplaces, provision of lifts, tactile paths, wheelchairs accessibility, web accessibility, parking facility, accessible toilets etc.

Presently, PWDs employed with this establishment are given Transport Allowance at double the normal rates in compliance with OM No. 21/5/2017-E.II(B), dated 07/07/2017GOI, Ministry of Finance, Department of Expenditure.

(b) List of posts identified suitable for PWDs in the establishment- :

The Delhi District Courts Establishment shall prepare a list of the identified posts in all groups- A, B, C and D for PWDs which could be easily performed by them. The posts shall be identified for PWDs within a period of two (02) months from the date of issuance of this policy.

(c) the manner of selection of PWDs for various posts, post-recruitment training, preference in transfer and posting, special leave, preference in allotment of residential accommodation if any, and other facilities:

(i) **Selection of PWDs for various posts:**

The Delhi District Courts Establishment would encourage candidates with different disabilities to apply. All vacancies will be advertised through proper channel. All vacancy advertisements will include an appropriate short statement on equal opportunities for persons with disabilities.

Selection criteria (job description and employee specification) will be reviewed periodically as per DoPT norms to ensure that they are non-discriminatory and that they relate purely to the skills needed for the job and nothing else. Application forms shall be made available in alternate accessible formats.

Decisions on employment, career progression, training, reservation or any other benefits shall be given as per govt. policy. An inclusive evaluation process shall be followed by ensuring that a PWD is provided with any suitable flexibility and reasonable accommodation that may be required so that she/he may be evaluated fairly.

Any information shared by an employee on disability/medical condition shall be kept confidential. If an employee acquires a disability during her/his employment tenure she/he can return to work at the same rank and with the same service conditions as before. In case the employee is unable to perform the current job, the organization shall invest in re-skilling the employee for another position/job at the same rank and if the same is not possible, the employees shall be posted on supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier.

(ii) **Post recruitment Induction training:**

It is an essential component of the service requirement of an employee. Induction training program for the PWDs shall be imparted together with the other employees. Job specific post-recruitment training programs shall be organized for the PWDs. The Department shall take definite action to conduct job specific inclusive training programs for the PWDs with other employees. Duration and training contents shall be developed and experts who are proficient in providing training to PWDs shall be identified in consultation with Delhi Judicial Academy or any other committee constituted in this respect by Hon'ble High Court, New

Delhi and if felt necessary, prominent Associations/ Federations/Confederations working in the sphere of disability shall be consulted. It shall also be ensured that training programs are conducted at the time of introduction of new technology. The venue of the training shall be fixed as considered suitable for conducting such training to PWDs.

(iii) **Preference in transfer and posting:**

As far as possible, the PWDs may be exempted from the rotational transfer policy/transfer and be allowed to continue in the same job where they would have achieved the optimum performance. Further, choice of preference in place of posting at the time of transfer/promotion may be given to the PWDs subject to administrative constraints.

(iv) **Special leave:**

The guidelines issued in this regard as per Office Memorandum No. 36035/3/2013-Estt. (Res) dated 31/03/2014 by the Department of Personnel and Training, GOI will be followed which refer to OM No. 25011/1/2008-Estt.(A) dated 19.11.2008 having a provision of Special Casual Leave for 4 days in a calendar year for PWDs for specific requirements relating to disabilities of the official. Further, directions issued vide DOPT, GOI OM No. 28016/02/2007-Estt (A) dated 14.11.2007, there is also a provision of 10 days Special Casual Leave in a calendar year subject to exigencies of work for the PWDs for participating in Conference/ Seminars/ Trainings/Workshop related to disability and development to be specified by Ministry of Social Justice & Empowerment.

(v) **Preference in allotment of residential accommodation**:

Subject to availability, this Department shall provide accessible accommodation to the PWDs near their place of posting and they will be preferred for allotment of ground floor accommodation. Existing housing accommodations will be renovated subject to feasibility to make them accessible to PWDs (by the Estate officers).

(vi) **Provisions for assistive devices, barrier-free accessibility and other provisions for PWDs:**

Appropriate furniture, wheel chairs (motorized, if necessary), necessary assistive aids in accordance with their requirement, which may improve their efficiency, shall be provided to PWDs by the Department. Latest technology led assistive devices (including low vision aids, hearing aids with battery) on the recommendatior of Doctor shall either be provided or the cost of such devices shall be reimbursed as per govt. approved rates within a specific time perlod i.e. (2 months) to persons with disabilities. The Department would carry out a review in this regard every three years. The PWDs may seek reimbursement of such devices from the office from which they draw their salary.

Any new facility that is built or renovated will be evaluated for compliance with accessibility standards at different stages of the building construction. Any employee facing accessibility issues may report to the Head of office at their office or write to the Liaison Officer.

(d) Appointment of liaison officer by the department to look after the recruitment of PWDs and provisions of facilities and amenities for such employees.

The Delhi District Courts Establishment shall appoint a Liaison Officer not below the rank of DHJS preferably an Officer registered with Rehabilitation Council of India (RCI), GOI, who will be responsible for taking initiative and providing the requisite support needed to realize the goals of an inclusive and accessible workplace and reasonable accommodation. The Liaison officer shall be assisted by Grievance Redressal Officer.

The Liaison Officer shall be responsible for:

- Implementing the action plan for making the workplace and IT systems accessible for PWDs by liaising with the concerned officers.
- Ensuring that all employees are aware of the Equal Opportunity Policy and know their duties and rights in relation to the Equal Opportunity policy.
- Developing proactive strategies to prevent discrimination and harassment.
- All employees have the responsibility to comply with the Equal Opportunity Policy. The Liaison officer needs to monitor the work environment to ensure that it is free from discrimination and harassment and encourages inclusion and respect for others.
- Ensuring reservation of Vacancies for PWDs in the establishment as per RPWD Act 2016. All recruitment proposals must be routed through Liaison Officer.
- The Liaison Officer will submit the quarterly progress report to the Head of the Department.
- The format of quarterly progress report in which information has to be submitted is given below in the prescribed format:

Sl. No	**Action to be Initiated**	**Actual Realization in the quarter (w.e.f ____to _____)**	**Limitations in achieving the set target**	**Remarks if any**
1.	Making the workplace and IT systems accessible for PWDs			
2.	Awareness among all employees about Equal Opportunity Policy			

3.	Measures taken to prevent discrimination and harassment against PWDs			
4.	Monitoring of status of implementation of 4% reservation for PWDs in the establishment.			
5.	Identification of jobs suitable for PWDs in the Department			

(e) The respective Administration Branches i.e Admn.I,II & III of the Delhi District Courts Establishment shall maintain records containing the following particulars, namely:-

i) the number of PWDs who are employed and the date from which they are employed;

ii) the name, gender and address of PWDs;

iii) the nature of disability of such persons;

iv) the nature of work being rendered by such employed PWDs; and

v) the kind of facilities being provided tc such PWDs.

(f) The Delhi District Courts Estabalishment shall produce for inspection on demand,records maintained under these rules, to the District level Committee on Disability and shall supply such information which may be required for the purpose of ascertaining whether the provisions have been complied with.

(g) The Delhi District Courts Estabalishment shall appoint an officer not below the rank of DJS as Grievance Redressal Officer, for each District. Preference may be given to an Officer registered with Rehabilitation Council of India (RCI), GOI. The Grievance Redressal Officer shall be head of the committee comprising of two members one of whom shall be a PWD subject to availability and the other member may be an outside expert (RCI registered) in the field of disability. At least one of the members of the Committee shall be a woman. This committee shall assist the Grievance Redressal Officer in the discharge of his/her functions.

(h) The Grievance Redressal Officer shall maintain a register of complaints of PWDs with the following particulars, namely:-

1. date of complaint;
2. name of complainant;
3. name of the person who is enquiring the complaint;
4. place of incident;
5. the name of establishment or person against whom the complaint is made;
6. gist of the complaint;
7. documentary evidence, if any;
8. date of disposal by the Grievance Redressal Officer;
9. details of disposal of the appeal by the District Level Committee; and any other information.

PWDs have the right to file a complaint concerning any discrimination with the Grievance Redressal Officer. Any policy violation i.e. when any PWD is discriminated against or not provided reasonable accommodation or denied access to any facility will be regarded as a grievance.

On investigation, if the employee against whom the complaint has been made is found guilty of discriminatory behavior, she/he will be deait in accordance with the

provisions of the RPWD Act, 2016. Involuntary or indirect discrimination will be resolved through training, counseling and suitable modification of procedures when required to ensure fair treatment.

This policy covers the PWDs as prescribed under RPWD Act 2016 including contractual employees.It also covers those employees who acquire disability during their work tenure. This policy also applies to all aspects of employment, be it recruitment, training, working conditions, salary, transfers, employee benefits and career advancement. Review of Policy shall be undertaken at regular intervals.