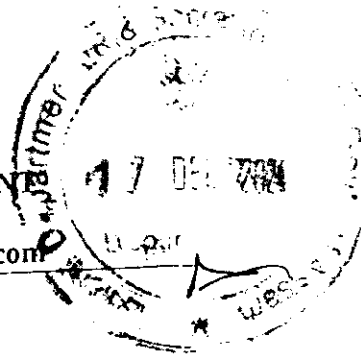


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17/12/2024

GOVERNMENT OF ASSAM  
DEPARTMENT OF SOCIAL JUSTICE & EMPOWERMENT  
Block - D, 1st Floor, Dispur,  
Janata Bhawan, Guwahati: 781 006, [sjedassam2022@gmail.com](mailto:sjedassam2022@gmail.com)



ECF No.446380/41

From : **Virendra Mittal, IAS**  
Commissioner & Secretary  
Department of Social Justice & Empowerment, Assam  
Dispur, Guwahati-6

To : **The Senior Most Secretaries (All)**  
All Administrative Department Government of Assam  
Dispur, Guwahati-6.

Sub : **Implementation of Sections 21 and 22 of the Rights of Persons with Disabilities (RPwD) Act, 2016.**

Ref : Honourable Supreme Court order in WP(C) No. 116/1998,  
Justice Sunanda Bhandare Foundation V/s Union of India & Ors.

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Sir/Madam,

In inviting reference to the subject quoted above, I am writing to bring to your attention the critical need for the immediate and effective implementation of Sections 21 and 22 of the Rights of Persons with Disabilities (RPwD) Act, 2016, across all departments under your purview.

Key Provisions of Sections 21 and 22 of the RPwD Act, 2016 read with RPwD Rule 2017:

**Section: 21 Manner of publication of equal opportunity policy**

- (1) Every establishment shall publish equal opportunity policy for persons with disabilities.
- (2) The establishment shall display the equal opportunity policy preferably on their website, failing which, at conspicuous places in their premises.
- (3) The equal opportunity policy of a private establishment having twenty or more employees and the Government establishments shall inter alia, contain the following, namely:
  - (a) facility and amenity to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment;
  - (b) list of posts identified suitable for persons with disabilities in the establishment;
  - (c) the manner of selection of persons with disabilities for various posts, post-recruitment and pre-promotion training, preference in transfer and posting, special leave, preference in allotment of residential accommodation if any, and other facilities;
  - (d) provisions for assistive devices, barrier-free accessibility and other provisions for persons with disabilities;

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(c) appointment of liaison officer by the establishment to look after the recruitment of persons with disabilities and provisions of facilities and amenities for such employees.

(4) The equal opportunity policy of the private establishment having less than twenty employees shall contain facilities and amenities to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment.

**Section: 22 Form and manner of maintaining records by the establishments**

(1) Every establishment covered under sub-rule (3) of rule 8 shall maintain records containing the following particulars, namely:

- (a) the number of persons with disabilities who are employed and the date from when they are employed;
- (b) the name, gender and address of persons with disabilities;
- (c) the nature of disability of such persons;
- (d) the nature of work being rendered by such employed person with disability; and
- (e) the kind of facilities being provided to such persons with disabilities.

(2) Every establishment shall produce for inspection on demand, records maintained under these rules, to the authorities under this Act and shall supply such information which may be required for the purpose of ascertaining whether the provisions have been complied with.

**Steps for Implementation**

In light of the above, you are requested to:

1. **Designate a Nodal Officer:** Identify a responsible officer in your department to oversee compliance with Sections 21 and 22.
2. **Data Collection Mechanism:** Establish a system for collecting and maintaining data related to PwDs in your department, including employment records, accessibility measures, and training programs.
3. **Capacity Building:** Organize training sessions for relevant staff to ensure a proper understanding of the Act's requirements.
4. **Annual Reporting:** Submit an annual report to the Commissioner of Persons with Disability detailing the steps taken and progress in implementing Sections 21 and 22.
5. **Public Awareness:** Promote awareness of the provisions among employees and stakeholders to foster an inclusive environment.
6. **Keep records of the facilities provided to persons with disabilities.**

**Monitoring and Compliance**

To ensure compliance, the Honourable Supreme Court monitors progress and effective implementation. Departments failing to adhere to these provisions may attract penalties as prescribed under the Act. Please take urgent action and submit an initial compliance report by **17-01-2025**.

This is for favour of your information and necessary action.

Signed by Faithfully,

Virendra Mittal

Date: 15-12-2024 12:20:11

Commissioner and Secretary  
Social Justice and Empowerment  
Government of Assam

Memo ECF No.446380/41-A

Copy to

- (1) The Secretary Coordination, Office of the Chief Secretary, Assam, for kind appraisal of Chief Secretary, Assam.

*e-signed*  
Commissioner and Secretary  
Social Justice and Empowerment  
Government of Assam.