

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
SOCIAL WELFARE DEPARTMENT
GLNS Complex, Firoz Shah Kotla,
Delhi Gate, New Delhi

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 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 of the Rights of Persons with Disabilities Act 2016 and Rule 8, 9 and 10 under Chapter-IV (Employment) of the Rights of Persons with Disabilities Rules 2017 **and as incorporated** under Rule 12, 13 and 14 under Chapter- V, Employment and Vacancies for Persons With Benchmark Disabilities of the Delhi Rights of persons with Disabilities Rule 2018, the Department of Social Welfare, NCT of Delhi frames the following Equal Opportunity Policy for Persons with Disabilities:-

Policy Statement:

The Department, of Social Welfare GNCTD is committed towards eliminating all forms of unlawful discrimination (which includes direct discrimination, indirect discrimination) and denial of reasonable accommodation and harassment of persons with disabilities.

- (a) **Facilities and amenities to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment-** The Social Welfare Department aims to ensure that our 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 Department 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.
- (b) **List of posts identified suitable for persons with disabilities in the establishment -** The Department of Social Welfare shall prepare a list of the identified posts in all groups- A, B, C and D for persons with disabilities which could be easily performed by them. The posts shall be identified for persons with

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Disabilities within a period of two (02) months from the date of issue of this policy.

- (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;**

(i) **Selection of persons with disabilities for various posts:** The Department of Social Welfare 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 people with disabilities.**

Selection criteria (job description and employee specification) will be kept under periodic review 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 will 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 person with disability 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 at the same rank or higher and if the same is not possible, the employee shall be posted on a Supernumerary post.

(ii) **Post recruitment and Pre-promotion Induction training:** It is an essential component of the service requirement of an employee. Induction training programme for the persons with disabilities shall be imparted together with the other employees. Job specific post-recruitment as well as pre-promotion training programmes shall be organized for the persons with disabilities. The Department shall take definite action to conduct job specific inclusive training programmes for the persons with disabilities with other employees. Duration, training contents shall be developed and experts who are proficient in providing training to PwDs shall be identified in consultation with the UTCS, GNCT of Delhi and State Commissioner, Disabilities and if felt necessary, prominent Associations/Federations/Confederations working in the sphere of disability shall be consulted.

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It shall also be ensured that training programmes are conducted at the time of change in job, introduction of new technology, after promotion of the employee, etc. The venue of the training shall be fixed as considered suitable for conducting such training to PwDs. The Department and their offices shall utilize existing Budget provisions for undertaking the aspects of training programme. The employee with disability shall be placed with an experienced employee for at least one month on resuming responsibility of a post. This would help him to pick up skills required to perform the job and also the adaptations that may be required in individual cases.

(iii) Preference in transfer and posting: As far as possible, the persons with disabilities 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 persons with disability subject to the administrative constraints. Instructions issued by the Department of Personnel and Training, GOI from time to time will be followed.

(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. 25°11/1/20°8-Estt.(A) dated 19.11.2008 having a provision of Special Casual Leave for 4 days in a calendar year for employees with disabilities for specific requirements relating to disabilities of the official. Further, vide DoPT, GOI OM No. 28°16/02/2°07-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 employees with disabilities for participating in Conference/Seminars/Trainings/Workshop related to disability and development to be specified by Ministry of Social Justice & Empowerment shall be implemented. The same shall also be applicable for participating in Conference/Seminars/Trainings/Workshop related to disability and development to be specified by the GNCT of Delhi.

(v) Preference in allotment of residential accommodation: Subject to availability, the Department shall provide accessible accommodation to the persons with disabilities 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 persons with disabilities (by the Estate officers).

(d) Provisions for assistive devices, barrier-free accessibility and other provisions for persons with disabilities: Appropriate furniture, wheel chairs (motorized if necessary), software scanners, computer and other hardware, etc. in accordance with their requirement, which would improve their efficiency, shall

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be provided to PwDs by the Department. High tech/latest technology led assistive devices (including low vision aids, hearing aids with battery) on the recommendation of Doctor shall either be provided or the cost of such devices shall be reimbursed as per govt. approved rates with a specific time period (2 months) to persons with disabilities in accordance with the price/durability of the special devices. The Department would carry out a review in this regard every three years. The employees with disabilities 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 should report to the Head of office at their office or write to the Liaison Officer.

(e) Appointment of liaison officer by the department to look after the recruitment of persons with disabilities and provisions of facilities and amenities for such employees.

The Social Welfare Department shall appoint a Liaison Officer not below the rank of a Gazetted Officer (not below the rank of Group A officer) preferably an employee 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 people with disabilities 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 of reservation of 4% Vacancies for PwDs in the establishment. 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:


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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 employees with disabilities			
2.	Awareness among all employees about Equal Opportunity Policy			
3.	Measures taken to prevent discrimination and harassment against employees with disabilities			
4.	Monitoring of status of implementation of 4% reservation for PwDs in the establishment.			
5.	Identification of jobs suitable for PwDs in the Department			

(f) The Administration Branch of the Department shall maintain records containing the following particulars, namely:-

1. the number of persons with disabilities who are employed and the date from when they are employed;
2. the name, gender and address of persons with disabilities;
3. the nature of disability of such persons;
4. the nature of work being rendered by such employed person with disability; and
5. the kind of facilities being provided to such persons with disabilities.

(g) The department 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.

(h) The department shall appoint an officer not below the rank of a Gazetted Officer as Grievance Redressal Officer, preference may be given to an employee registered with Rehabilitation Council of India (RCI), GOI. The Grievance Redressal Officer shall be head of a committee comprising of two members among whom one will be an employee with disability and other may be an outside expert (RCI registered) in the field of disability. Also 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.

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(i) The Grievance Redressal Officer shall maintain a register of complaints of persons with disabilities 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
10. any other information.

Employees with disability have the right to file a complaint concerning any discrimination with the Grievance Redressal Officer. Any policy violation i.e. when any person with disability 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 dealt in accordance with the provisions of the Act. Possible action taken against the employee may include a reprimand, detraction of benefits for a definite or indefinite time period, demotion, denial of promotion and suspension or termination for more serious offences. Involuntary or indirect discrimination will be resolved through training, counseling and suitable modification of procedures when required to ensure fair treatment.

The above policy covers applicants with disabilities for posts in the Department, full time/part time employees, interns/trainees, contractual employees, including temporary 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, salaries, transfers, employee benefits and career advancement. Review of Policy shall be undertaken at regular intervals.

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GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF SOCIAL WELFARE
GLNS Complex, Firozshah Kotla, Delhi Gate, New Delhi-110002

F.No.82/914/CPD/AD-III/DSW/2015/ 4406-4414

Dated:

03 JUN 2019

ORDER

Secretary (Social Welfare), GNCTD is pleased to constitute the Advisory Committee to assist the State Commissioner for PwDs, GNCTD as per provision u/s 79 (7) of RPwD Act, 2016 and as per rule 48 (1) of the Delhi RPwD Rules, 2018. This Advisory Committee shall comprise of the following members:-

- (1.) Dr. Anil Aneja – Non official Member
- (2.) Ms. Merry Barua – Non official Member
- (3.) Ms. Rajeshwari – Non official Member
- (4.) Dr. Raman Khanna – Non official Member
- (5.) Sh. Parag Namdeo – Non official Member.

The tenure of the above mentioned non-official members of the Advisory Committee shall be for a period of 3 years from the date of constitution of the Committee and the members shall not be eligible for re-nomination.

The non-official members of the Advisory Committee shall be paid an allowance of Rs. 2,000/- (Two Thousand Only) per day for each day of the actual meeting. The amount of payment to the non-official members shall be incurred from the Head: "Office Expenses" (OE) of the budget allocated to O/o State Commissioner for PwDs, GNCTD.

This issues with the prior approval of Secretary (SW).

A. Madhavi
03/6/19

(Dr. A. Madhavi)

Dy. Director (Disability)

F.No.82/914/CPD/AD-III/DSW/2015/ 4406-4414

Dated:

03 JUN 2019

Copy to:

1. P.S. to State Commissioner for PwDs, GNCTD, 25-D, Mata Sundari Road, Behind Guru Nanak Eye Hospital, New Delhi.
2. P.S. to Secretary, Social Welfare, GLNS Complex, Delhi Gate, New Delhi-02
3. P.A. to Director, Social Welfare, GLNS Complex, Delhi Gate, New Delhi-02
4. Dr. Anil Aneja, OSD, Equal Opportunity Cell, Delhi University, Delhi.
5. Ms. Merry Barua, Action for Autism (NGO), Pocket – 7 & 8, Jasola Vihar, New Delhi.
6. Ms. Rajeshwari, Roshni Action for Mental Illness, K- 4D, Malviya Nagar, New Delhi-110017
7. Dr. Raman Khanna, 21/31 A, Tilak Nagar, New Delhi- 110018
8. Sh. Parag Namdeo, Sense International India, 2nd Floor, NAB Delhi Campus, Sector – 5, R K Puram, New Delhi-110022.
9. Guard File.

A. Madhavi
02/6/19

(Dr. A. Madhavi)

Dy. Director (Disability)

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF SOCIAL WELFARE
GLNS Complex, Firoz Shah Kotla,
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(Persons with Disability Welfare Branch)

23724493 (tel.)

F. No. 82/1222/AD-III/DSW/2018-19/ 896 - 923

Dated:

09 APR 2019

Sub : Policy Guidelines to amend existing schemes/formation of new schemes as per the provisions of Section 37 of the Rights of Persons with Disabilities Act, 2016

The Hon'ble High Court of Delhi in its order dated 17-01-2018 in the matter of Inderjeet Kaur Vs GNCTD & Ors, in case No. WP(C) 7561/2016 had directed that a policy be framed for implementation of Section 37 of the Rights of Persons with Disabilities Act, 2016 and while framing the policy, the framers should give weightage to the following parameters :

- Degree of disability.
- Eco System in which the disabled persons is placed.
- The period for which the incumbent has been in occupation of a given kiosk/structure.
- The financial capacity of the Person with Disability (PwD).
- All Source of income available with PwD.

The said directions were in the context of a scheme being operated by the Department of Health and Family Welfare, GNCTD for allotment of Kiosks.

As per Section 37 of the RPwD Act 2016- the appropriate Government and the local authorities shall, by notification, make schemes in favour of persons with benchmark disabilities, to provide,—

- a. **five per cent. reservation** in allotment of agricultural land and housing in all relevant schemes and development programmes, with appropriate priority to women with benchmark disabilities;
- b. **five per cent. reservation** in all poverty alleviation and various developmental schemes with priority to women with benchmark disabilities;
- c. **five per cent. reservation** in allotment of land on concessional rate, where such land is to be used for the purpose of promoting housing, shelter, setting up of occupation, business, enterprise, recreation centres and production centers.

In compliance of the aforementioned directions of the Hon'ble High Court of Delhi, the following Policy Guidelines have been framed by the Department of Social Welfare, GNCT of Delhi to implement the provisions of Section 37 of the RPwD Act 2016:-

- 1) The 5 per cent reservation applicable for persons with bench mark disabilities as defined in section 2(r) of the Rights of Persons with Disabilities Act, 2016 shall be implemented on the basis of roster of 100 points and each cycle of 100 points shall be divided into five blocks, comprising the following points:

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- 1st Block - point No. 01 to point No. 20
 2nd Block - point No. 21 to point No. 40
 3rd Block - point No. 41 to point No. 60
 4th Block - point No. 61 to point No. 80
 5th Block - point No. 81 to point No. 100

- 2) Point no. 1, 21, 41, 61 & 81 of the roster shall be earmarked for PwBDs. After Completion of the 1st Cycle of 100 points, any vacancy created due to an allottee/allottees giving up the allotment for any reason, shall be allocated to a PwBD against the points reserved for PwBDs in the second cycle of 100 points roster.
- 3) The parameters and weightage to be accorded to each parameter in implementing any scheme wherein reservation of 5% is provided to persons with bench mark disability (PwBDs) shall be as under:-

Sl. No	Parameters	Weightage	In the Scale of 10 points
1.	Degree of disability	<ul style="list-style-type: none"> • 40% to 59% = 02 points • 60% to 79% = 04 points • 80% and above = 06 points 	06
2.	Gender	<ul style="list-style-type: none"> • Male = 01 point • Female = 02 points 	02
3.	Having more than one or more than one dependent family member with benchmark disability other than applicant.	<ul style="list-style-type: none"> • One dependant family member with benchmark disability = 01 point • More than one dependant family member with bench mark disability = 02 points 	02
	Total		10

- 4) In case of tie between Persons with benchmark disability in terms of weightage points, the allotment should be decided by draw of lots.
- 5) Income criteria for availing the benefit of 5 % reservation under the Schemes of the GNCT of Delhi shall be fixed by the Individual department as per its assessment and requirement.
- 6) There shall be provision for transferring the kiosk to the dependant parent/spouse/child/sibling with benchmark disability in the event of the death of the allottee.
- 7) The applicant shall give a declaration at the time of applying under the Scheme that he/she has not availed the benefit of 5% reservation for PwBD under any other Government Scheme of similar nature.

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- 8) 5% reservation shall be given separately for PwBDs in each category of allotment, such as allotment of plot, flat, shop or any commercial unit etc.
- 9) Person with benchmark disability having intellectual disability/neurological disorder/multiple disabilities should be allowed to run the kiosk with the support or assistance of one of their family members.
- 10) In case of requirement of bidding under a scheme, it shall be ensured that bidding is held amongst Person with benchmark disability only.
- 11) All Departments/Autonomous Institutions/Local Bodies and Corporations shall strictly follow the **aforesaid Policy guidelines** for amending their existing schemes and while formulating new schemes that can be considered as Developmental Schemes/Programmes for poverty alleviation, allotment of land, concessional allotment of land, housing etc wherein reservation for Persons with Benchmark Disabilities as per the provisions of Section 37 of the Rights of Persons with Disabilities Act, 2016 is to be implemented.

This issues with the prior approval of Secretary, Social Welfare.

9c
b. Madhavi
09/04/19
(Dr. A. Madhavi)
Dy. Director(Disability)

F. No. 82/1222/AD-III/DSW/2018-19/

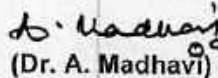
Dated:
09 APR 2019

1. The Pr. Secretary, Department of Public Works, 5th Level, B-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110002.
2. The Pr. Secretary, Department of Urban Development, 9th Level, C-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110002.
3. Principal Secretary (Education), Directorate of Education, Old Secretariat, Delhi-110054.
4. The Pr. Secretary, Department of Health & Family Welfare, 9th Level, A-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110002.
5. The Pr. Secretary, Department of Development, 5/9 Under Hill Road, Delhi-110054
6. The Pr. Secretary, Department of Tourism, 176-183, Old Secretariat, Delhi-110054.
7. The Pr. Secretary, Department of Land & Building, B-Block, Vikas Bhawan, I.P. Estate, New Delhi-110002.
8. The Pr. Secretary, Department of Higher Education, B-Wing, 2nd Floor, 5, Sham Nath Marg, Delhi-110054.
9. The Secretary, Department for the Welfare of SC/ST/OBC/Minorities, B-Block, IInd Floor, Vikas Bhawan, I.P. Estate, New Delhi-110002.
10. The Commissioner, South Delhi Municipal Corporation, Dr. SPN Civic Centre, Minto Road, New Delhi.
11. The Commissioner, North Delhi Municipal Corporation, Dr. SPN Civic Centre, Minto Road, New Delhi.
12. The Commissioner, East Delhi Municipal Corporation, 419, Udyog Sadan, Patparganj Industrial Area, New Delhi-110096.
13. The Chairman, New Delhi Municipal Council, Palika Kendra, Sansad Marg, New Delhi.
14. The Commissioner, Department of Food Supplies & Consumer Affairs (General Branch), Vikas Bhawan, 207, K-Block, Vikas Bhawan, I.P. Estate, New Delhi-110002.
15. The Divisional Commissioner, Department of Revenue, Office of Divisional Commissioner, 5, Sham Nath Marg, Delhi-110054.
16. The Commissioner, Department of Transport, 5/9 Under Hill Road, Delhi-110054.

17. The Secretary cum Commissioner, Department of Labour 5, Sham Nath Marg, Delhi-110054.
18. The Pr. Secretary, Department of Training & Technical Education, Muni Maya Ram Marg, Pitampura, Delhi-110034.
19. The Commissioner, Department of Industries, 419, F.I.E. Udyog Sadan, Patparganj, Industrial Area, New Delhi -110092.
20. The Chief Executive Officer, Delhi Jal Board, Varunalaya, Phase-II, Karol Bagh, New Delhi.
21. The Director, Department of Women & Child Development, 1, Canning Lane, K.G. Marg, New Delhi-110001.
22. The Chairman, Delhi State Industrial & Infrastructure Development Corporation Ltd. The Chairman, Delhi State Industrial & Infrastructure Development Corporation Ltd. (Plot No. F.I.E.- 419, Patparganj Industrial Area, Udyog Sadan, Delhi.
23. The Director (Employment), Directorate of Employment, C – Block, 5 Sham Nath Marg, Delhi-110054.
24. The Chief Executive Officer, Delhi Urban Shelter Improvement Board, GNCTD, Punarwas Bhawan, I.P. Estate, New Delhi – 110002.
25. Chairman, Delhi Metro Rail Corporation, Metro Bhawan Fire Brigade Lane, Barakhamba Road, New Delhi – 110001.
26. Chairman, Delhi Development Authority, A-Block, Ist Floor, Vikas Sadan, Near INA Market, New Delhi-23.

Copy for information forwarded to:

1. State Commissioner for Persons With Disabilities, Office of the Commissioner for Persons with Disabilities, GNCTD, 25-D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-110002.
2. P.A to Secretary, Department of Social Welfare, GNCTD, GLNS Complex, Delhi Gate, New Delhi-02.


 (Dr. A. Madhavi) 09/4/19
 Dy. Director(Disability)