

HIGH COURT OF DELHI AT NEW DELHI

No. 106/Estt/EI-I/DHC
Date: 16.12.2024

NOTIFICATION

Hon'ble the Acting Chief Justice of this Court has been pleased to frame Equal Opportunity Policy for Persons with Disabilities under Section 21 of the Rights of Persons with Disabilities Act, 2016 for High Court of Delhi (annexed as Annexures- 'A')

BY ORDER

Sd/-
(Kanwal Jeet Arora)
Registrar General

Endst. No. 23764-73/Estt./EI-1/DHC

Date: 16.12.2024

1. Registrar-cum-Secretary to Hon'ble the Acting Chief Justice.
2. All Registrars/Officers on Special Duty/Coordinator (DIAC).
3. The State Commissioner for Persons with Disabilities, Government of NCT of Delhi, 25-D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi - 02 for Registration of Equal Opportunity Policy for Persons with Disabilities, Delhi High Court under Section 21 of the Rights of Persons with Disabilities Act, 2016.
4. All Joint Registrars/Deputy Registrars/ Director (IT)/ Assistant Registrars/Deputy Controller of Accounts/ Assistant Registrar (Library).
5. Joint Registrar (Registrar General Secretariat).
6. Private Secretaries to all Hon'ble Judges.
7. All Admn. Officers (Judicial) / Court Masters/ Branch In-charge/Librarian.
8. P.A. to Registrar (IT) with the request to arrange to upload the Notification on the intranet and website of this Court.
9. Copy to be displayed on the Notice Board.
10. Guard file.

(Signature)

(Sindhu Krishnakumar)
Deputy Registrar (Estt.-I)

As directed may be uploaded.

Q.H.V.
16/12/2024

P.A. to Registrar (IT)

Director (IT)

20(I.T.)
Asst (IT Cell)

(Signature)
16/12/2024
Jan
16-12-2024

18/12/2024
16/12/2024

High Court of Delhi

EQUAL OPPORTUNITY POLICY FOR PERSONS WITH DISABILITIES

Preamble and Overview

At the High Court of Delhi, the value and importance of diverse work force is recognized. The High Court of Delhi is committed to provide equal opportunities in employment, creating inclusive workplace and work culture for all employees and to treat them with equal respect and dignity. The High Court of Delhi strives for ensuring that its work force will consist of all representatives from all sections of the society including persons with disability.

The objective of the "Equal Opportunity Policy for Persons with Disabilities" is to ensure that the persons with disability enjoy the right to equality, life with dignity and respect equally with others.

This Equal Opportunity Policy is in accordance with the provisions of "The Rights of Persons with Disability Act, 2016". As per the mandate of Section 21 of Chapter IV of the Rights of Persons with Disabilities Act 2016:

- 1) Every establishment shall notify Equal Opportunity Policy detailing measures proposed to be taken by it in pursuance of the provisions of this chapter in manner as prescribed by the Central Government.
- 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 Section 21 of the Rights of Persons with Disabilities Act 2016 (hereinafter 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, as amended by Amendment/Rules 2019 (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 Establishment of High Court of Delhi frames the following Equal Opportunity Policy for Persons with Disabilities :-

Policy Statement:

The Establishment of High Court of Delhi 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").

Delhi High Court is committed to promote awareness on equal opportunity and inclusion of people with disabilities amongst its employees.

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

The Establishment of this Court 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 buildings of this establishment already adhere to RPWD Act 2016 with there being provision of ramps, grab bars, and wider doorways to enable access to buildings and workplaces, provision of lifts, tactile paths, wheelchair accessibility, web accessibility, parking facility, accessible toilets, display boards containing rights of Persons with Disabilities for awareness etc.

Delhi High Court aims to ensure that its physical infrastructure (buildings, furniture, facilities and services in the building/campus) adheres to the accessibility standards laid down in The Harmonized Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disabilities and Elderly Persons, 2016 and the National Building Code, 2016.

Any new facility that is built or renovated will be evaluated for compliance with accessibility standards at different stages of the building construction.

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 07/07/2017 issued by the GOI, Ministry of Finance, Department of Expenditure.

(b) Digital Infrastructure:

It is High Court of Delhi's continuous endeavor to ensure that all its documents, communication and information technology systems adhere to the accessibility standards.

The Standards for Information and Communication Technology as given in the RPWD Rules, 2017 are:-

- (i) **Website Standards:** Guidelines for Indian Government Website (GIGW), as adopted by Department of Administrative Reforms and Public Grievances, Government of India.
- (ii) **Documents Standards:** Electronic Publication (ePUB) or Optical Character Reader (OCR) based pdf formats.

The High Court of Delhi ensures that only accessible technologies are procured and used.

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

The Establishment of Delhi High Court shall prepare a list of the identified posts in all groups- A, B and C for PWDs in respect of the work 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.

(d) 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 Establishment of Delhi High Court 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 employee 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. It shall also be ensured that training programs are conducted at the time of introduction of any new technology. The venue of the training shall be fixed as considered suitable for imparting 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 guidance issued in this regard as per Office Memorandum no. 36035/3/2013-Estt. (Res) dated 21/03/2014 by the Department of Personnel and Training, GOI will be followed which refers 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, as per directions issued vide DOPT, GOI OM No. 20816/02/2007-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 accommodation will be renovated subject to feasibility to make them accessible to PWDs (by the Estate Officers). The employees of this Court with disabilities shall be eligible for preference in allotment of official accommodation as per Equal Opportunity Policy under RPWD Rules, 2017.

(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 recommendation of Doctor shall either be provided or the cost of such devices shall be reimbursed as per govt. approved rates within a specific time period 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 Grievance Redressal Officer.

(e) Appointment of Grievance Redressal Officer by the department to look after the recruitment of PWDs and provision of facilities and amenities for such employees.

The Establishment of Delhi High Court has already appointed an Officer of the Rank of Registrar (General Admin-I), as Grievance Redressal Officer under Section 23 of the Rights of Persons with Disabilities Act 2016 vide Order No. 1808/Estt./E1/DHC dated 19.12.2022.

The Grievance Redressal Officer will be responsible for taking initiatives and providing the requisite support needed to realize the goals of an inclusive and accessible workplace and reasonable accommodation.

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.

The Grievance Redressal 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 Grievance Redressal 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 Grievance Redressal Officer.
- The Grievance Redressal Officer will submit the half yearly progress report to the Head of the Department.
- The format of half yearly progress report in which information has to be submitted is given below in the prescribed format:

TABLE FOR HALF YEARLY PROGRESS REPORT

Sl. No	Action to be initiated	Actual Realization in the half year (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			

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

1. date, place and time of complaint;
2. name of complainant;
3. name of 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, if any and any other information.

(g) The Establishment Branch of the Delhi High Court 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 to such PWDs.

(h) The Establishment of this Court shall produce for inspection on demand, records maintained under these rules, to the concerned Committee on Disability and shall supply such information which may be required for the purpose of ascertaining whether the provisions have been complied with.

(i) The Establishment of Delhi High Court in compliance with the resolution passed in Chief Justices Conference and orders of Hon'ble the Chief Justice, has nominated Administrative Officer (Judicial) (Facilitation) and in his absence, Assistant Registrar (Genl. Admn.-I) as the Facilitation Officer with regard to the facilities for Persons with Disabilities vide Circular No. 224/E.V/Estt.II/DHC dated 06.02.2023.

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 dealt in accordance with the provisions of the RPWD Act, 2016. Involuntary or indirect discrimination will be resolved through training, counseling and suitable modification of procedure as 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.