

REGARDING PROVIDING EQUAL OPPORTUNITIES TO DISABLED PEOPLE BY PRIVATE INSTITUTIONS

FO.06t2-22'50d'. emaU-scdisability2008@gmail.com Webste : Qfdisabititlos.org 9.r..S 31.8 / fe\$ccific gio 04 19 fü6Tt, fäFTT 3<zft7T (ftzurau, fäT fä-z-zrivr-a-ö 3-TQR t öi€zrp:rr qfä fr-åFT q-anT tI &fifä 03 fäF:dV2019 @ f&zri7TGET 3ftfäZVT,2016 uRT-21(l) 3*füfrzCH.2016 31üZTTU-IV Ofä fäza:T.2017 för ;ftfä Eftfä \$1 fav 3R.BT (TFzr O. faâfä-a I y-q--å I fira Gitfä fä:F7aT 3•lfääTä tI gT37Füg fi:QÄ77T, t I 3q:a t f*i7T37 31füf>24F2016 fist frÄTr tI -4å OM—12-17 OFFICE OF STATE COMMISSIONER FOR PERSONS WITH DISABILITIES Welfare Department æR4iR/Government of Bihar (Equal Opportunity Policy for PwDs for Private Establishment) treat-800015, : 0612-2215041, : 9431015499. Helpline No.- 8448385590. E-mail-scdisability2008@gmail.com. Website-scdisabilities.org OFFICE OF STATE COMMISSIONER FOR PERSONS WITH DISABILITIES ü3{T7T/Social Welfare Department æi«öR/Government of Bihar 11 11 æqr-06ÄT03TTOfäO-01/2019-1308/31TfrO*O c fü-ææat'19 3-Ta-8TZt 3ft 3TfihR tI The Parliament has enacted The Rights of Persons with Disabilities Act, 2016 (Act No. 49 of 2016) to give effect to the United Nations Convention on the Rights of Persons-with Disabilities and for matters connected therewith or incidental there to. fúa:ri7TGFT 3ftfru-n,2016 '3TtfruR,2016') 21(1) 3fifrZTF,2016 3--1tÄrZr-IV å, *trZr ftfta In terms of the Section 21(1) of the Rights of Persons with Disabilities Act, 2016 (hereinafter referred to as " the Act of 2016") every establishment is mandated to notify Equal Opportunity Policy detailing measures proposed to be taken by it in pursuance of the provisions of Chapter IV of the Act of 2016 in the manner prescribed by the Central Government. (3ir-ft 'fr4R,2017') ßZrJ:T-8 The Central Government has provided for manner of publication of Equal Opportunity Policy by way of Rule 8 of the Rights of Persons with Disabilities Rules, 2017 (hereinafter referred to as " the Rules 2017 3ffru-R,2016 tIRT-2 F) PIET" zrr 3-Fq 3frÄ5TUT, Év-1T, 3Fzr In terms of the section 2 (v) of the Act of 2016 "private establishment" means a company, firm. cooperative or other society, associations, trust, agency, institution, organisation, union, factory or such other establishment as the appropriate Government may, by notification, specify. Pg No.-2 3fifrZTF,2016 -ang-ær:_ Accordingly, as per the provisions of the Act of 2016 and the related Rules of 2017. every private establishment should. + fa-ær,2017 erfä 3Ta-e-(• Publish an Equal Opportunity Policy for Persons with Disabilities in accordance with the Rules, 2017. 3--T2TäT t, fä-äfü-a -*a-r-rl • Register a copy of the above said policy with the Chief Commissioner or the State Commissioner for Persons with Disabilities, as the case may be 3ö*r 3ft qa•rq-r 3ifi±7 8--TR7 *7TT, ePUB ur OCR PDF • Display the Equal Opportunity Policy preferably on their website or at conspicuous places in the office premises. Establishments shall comply with the website standard as specified in the guidelines for Indian Government websites, as adopted by Department of Administrative Reforms and Public Grievances, Government of India: and the documents to be placed on websites shall be in Electronic Publication (e PUB) or Optical Character Reader (OCR) based pdf format. + 3t-zra-T 3-TTÜR a-t *JIT 3fåZ13T,2016 3ÄÜRT-(3) 45T, 3h-c q•rq arä fr-#r *r tI • The Head of the establishment shall ensure that Persons with Disabilities are not discriminated on the ground of disability. She/he shall ensure that the provision of Section 3 (3) of the Act of 2016 are not misused to deny any right or benefit to persons with disabilities covered under the Act. 3-TFZT 3F:aüE Bit, - • The equal opportunity policy of a private establishment having twenty or more employees and the Government establishments shall inter alia. contain the following. namely:- Pg No.-3 (a) (b) (c) fav aft facility and amenity to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment: list of posts identified suitable for persons with disabilities in the establishment; tfr, 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; (e) 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 Aim to ensure that at least five percent of workforce comprise of persons with benchmark disabilities. ztT 3ifäÄ-a-a Every establishment having twenty or more employees shall maintain records of employees with disabilities in a manner containing the particulars as detailed in the Rules 2017.Further, they shall produce for inspection on demand, records maintained under these rules, to

the authorities under this Act Pg No.-4 3-TTVT(t-8r t, (qi) 3iffr-H,2016 zr (U) Efra-qi ftü-a Every establishment having twenty or more employees shall have a grievance redressal mechanism in place to look into any complaints received regarding discrimination on the grounds of disability. If the head of the establishment receives a complaint from an aggrieved persons regarding discrimination on the ground of disability, he shall — a initiate action in accordance with the provisions of the Act: or 8 b inform the aggrieved person in writing as to how the impugned act or omission is a proportionate means of achieving a legitimate aim. + 3fü?T zrr Establishments should not compel a person with disability to partly or fully pay the costs incurred for reasonable accommodation. Make all existing buildings accessible as per standards. • qaTRT 2016 ft-at-a • Ensure that new buildings are planned and constructed as per accessibility standards standard for public buildings as specified in the Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons With Disabilities (as the builders will not be given permission to build nor will they be issued a certification of completion if they do not meet the standards). + 2019 a-\$ • Ensure that services are accessible in accordance with the rules on accessibility in two years i.e. by 2019. • 3-1F4 altr 3iatz Otr av 3iqå 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. Pg No.-5 (füzqi7T37) erf?-a-ui t, æifr-aT, 1908 tl 34fifruH2016 3-lü(T-a- 16 3qåtTi The State Commissioner for Persons with Disabilities, is responsible for monitoring implementation of the provisions of the Act of 2016 and schemes. programmes meant for persons with disabilities, within the state. The State Commissioner shar for the purpose of discharging their functions under this Act, have the same powers of a civil court as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit. There are suitable punishments for any offences / violations as detailed under the Chapter XVI of the Act of 2016. 31fåfåuJT,2016 tJT+21 (2) t ur 3-1a-FR In terms of the section 21 (2) of the Act of 2016 every establishment shall register a copy of the Equal Opportunity Policy, as detailed above, with the Chief Commissioner or the State Commissioner for Persons with Disabilities, as the case may be. 3fifrFTH,2016 3iq#r Ffifå fâ3TJT f*ifi-a ft3-TTJT t) I Accbrdinglv, every FPrivate establishment hereby instructed to adhere to the provisions of the Act of 2016 and shall publish their Equal Opportunity Policy and aet it registered with the State Commissioner for Persons with Disabilities Bihar. The Government Departments should guide and provide for the necessary regulations to the private establishments existing within their suitable control to adhere to the above stated mandatory provisions.(in respect to the Government establishments the Equal Opportunity Policy has already been published b the suitable Government Department). ü1+21(1) Yr fav t, 311* gr3FTöftg This document provides a Template and a Sample E per Clause 21 (1) of the Act of 2016 and the related Rules 2017 adopt or use as a reference in order to create their own policy. These Template/ Sample may be downloaded from the office Website and published equal opportunity olicy may be get registered with the office of State Commissioner Disabilities, Bihar. (firaTGft (Dr. Shivajee Kumar) State Commissioner Disabilities, Govt. of Bihar