



Estt. Srl. No. 31/2025
RBE No- Nil

EAST COAST RAILWAY
प्रधान मुख्य कार्मिक अधिकारी का कार्यालय/
Office of the Principal Chief Personnel Officer
रेल सदन, द्वितीय तल, भुवनेश्वर - 751017
Rail Sadan, IInd Floor, Bhubaneswar-751017

ECoR/Pers/R/Recruitment

Date: 20.02.2025

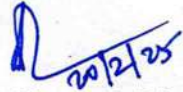
ALL PHODs/CHODs,
DRMs/CWM/CAO & CPM,
East Coast Railway, Bhubaneswar.

Sub: Enforcement of Sections of the Rights of Persons with Disabilities (RPwD) Act 2016.

उपर्युक्त विषय पर रेलवे बोर्ड पत्र सं. 2025/E(LL)/RPwD/1, दिनांक 06.02.2025 की प्रतिलिपि सूचना, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु अग्रेषित है।

A copy of Railway Board's Letter No. 2025/E(LL)/RPwD/1, dated 06.02.2025 on the above quoted subject is forwarded herewith for information, guidance and necessary action.

Encl: As above,


(Santosh Kumar Mishra)
Assistant Personnel Officer/HQ
for Principal Chief Personnel Officer.

Copy to:-

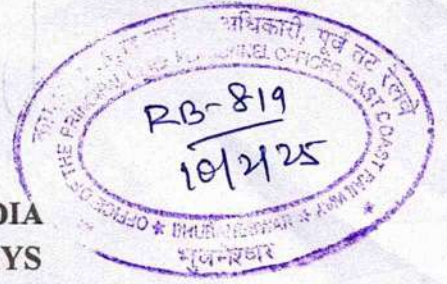
1. Secy. to GM & AGM,
2. Chairman-RRB & RRC-BBS,
3. Dy.CPOs /Sr.DPOs, DPOs/SPOs, WPO/APOs of Personnel Department,
4. General Secretary's- ECoRSC & ECoRSU.

RB-182

क्र.सं./Date... 6/2/25
आक्षेप/Initial.....



भारत सरकार / GOVERNMENT OF INDIA
रेल मंत्रालय / MINISTRY OF RAILWAYS
(रेलवे बोर्ड / RAILWAY BOARD)



No.2025/E(LL)/RPwD/1

The General Managers,
All Zonal Railways,
Metro Railway/Kolkata,
CORE/Prayagraj, RWO/Bela, WPO/Patna,
The Director General, RDSO, Lucknow,
The Director General, NAIR, Vadodara.

CPD/KD
SP
11-2
PCPD
म.प्र./G.M.
सचिव/Secy.
11/02/2025
CPD(f)
स्वाक्षर/Initial
दिनांक/Date
06/02/25

New Delhi, dated: 06.02.2025

Sub: -Enforcement of Sections of the Rights of Persons with Disabilities (RPwD) Act 2016.

Please find enclosed herewith a copy of DO Letter No.CC-12016/1/2023-CCPD dated 13.01.2025 received from Joint Secretary, Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment (Divyangjan) regarding lack of awareness and sensitivity in government establishments about provisions of the RPwD Act-2016. The Act provides several rights to the persons with disabilities with respect to education, employment, accessibility, justice etc. However, the government establishments are not responding to the notices and recommendations issued under the provisions of the Act by statutory authorities.

2. Zonal Railways/Production Units/PSUs & other units are advised to sensitize the concerned officials and make aware the importance of provisions/sections of RPwD Act, 2016 and its adherence as mentioned in DO letter ibid, for ensuring the rights and dignity of persons with disabilities and fostering an inclusive environment within the organization.

DA:- As Above

(M.K. Meena)
Director Estt (LL)
Railway Board

Copy to:- for necessary action and compliance.

(i) CMDs/MDs/Equivalent: IRCON, RITES, RVNL, DFCCIL, CONCOR, CRIS, IRCTC, IRFC, KI MRVC, RCIL, Burn Standard, Braithwaite, NHSRCL, RLDA.

(ii) Directors of All CTIs (IRICEN, IRIEN, IRIMEE, IRISSET, IRITM).

Copy to: PSOs/Sr. PPS/PPS/PSs/APSs to:

MR, MoSR(S), MoSR(R), CRB & CEO, M(T & RS), M(Infra), M(O & BD), MF, Secretary/ Railway Board, DG(RHS), DG(RPF), DG(Safety), All AMs, PEDs, EDs and Joint Secretaries, DS(G), Railway Board.

Room No. 564-O, Rail Bhawan, Raisina Road, New Delhi-110001

18-02-25

भारत सरकार/Government of India
रेल मंत्रालय/Ministry of Railways
(रेलवे बोर्ड/Railway Board)

सं.2025/ई(एलएल)/आरपीडब्ल्यूडी/1

नई दिल्ली, दिनांक 06.02.2025

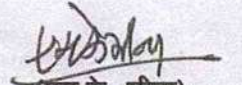
महाप्रबंधक,
सभी क्षेत्रीय रेलें,
मेट्रो रेलवे/कोलकाता,
कोर/प्रयागराज, आरडब्ल्यूओ/बेला, डब्ल्यूपीओ/पटना,
महानिदेशक, अअमासं., लखनऊ,
महानिदेशक, भारतीय रेल राष्ट्रीय अकादमी, वडोदरा।

विषय:- दिव्यांगजन अधिकार अधिनियम, 2016 की धाराओं को लागू करना।

कृपया सरकारी संस्थापनाओं में दिव्यांगजन अधिकार अधिनियम-2016 के उपबंधों पर जागरूकता तथा संवेदनशीलता की कमी के संबंध में सामाजिक न्याय और अधिकारिता मंत्रालय (दिव्यांगजन) के दिव्यांगजन सशक्तिकरण विभाग के संयुक्त सचिव से प्राप्त दिनांक 13.01.2025 के अर्धसरकारी पत्र सं. सीसी-12016/1/2023-सीसीपीडी की संलग्न प्रति का अवलोकन करें। इस अधिनियम में दिव्यांगजनों को शिक्षा, रोजगार, सुगम्यता, न्याय आदि के संबंध में कई अधिकार प्रदान किए गए हैं। बहरहाल, सरकारी संस्थाएं सांविधिक प्राधिकारियों द्वारा इस अधिनियम के उपबंधों के अंतर्गत जारी अनुशंसाओं पर कोई प्रतिक्रिया नहीं कर रही हैं।

2. क्षेत्रीय रेलों/उत्पादन इकाइयों/सार्वजनिक क्षेत्र के उपक्रमों एवं अन्य इकाइयों को परामर्श दिया जाता है कि वे दिव्यांगजन अधिकार अधिनियम-2016 की उपबंधों/धाराओं की महत्ता और अर्धसरकारी पत्र में यथाउल्लिखित के अनुसार इसके अनुपालन के बारे में संबंधित अधिकारियों को संवेदनशील बनाएं तथा जागरूक करें तथा दिव्यांगजनों के अधिकार एवं गरिमा को सुनिश्चित करने के लिए संस्थान में समावेशी वातावरण बनाएं।

संलग्नक :- यथोक्त


(एम.के. मीना)

निदेशक स्थापना (श्रम कानून)
रेलवे बोर्ड

प्रतिलिपि अग्रेषित :- आवश्यक कार्रवाई और अनुपालन हेतु।

- (i) अध्यक्ष एवं प्रबंध निदेशक/प्रबंध निदेशक/समकक्ष : इरकॉन, राइट्स, आरवीएनएल, डीएफसीसीआईएल, कॉनकॉर, क्रिस, आईआरसीटीसी, आईआरएफसी, केआई एमआरवीसी, आरसीआईएल, बर्न स्टैंडर्ड, ब्रेथवेट, एनएचएसआरसीएल, आरएलडीए।
- (ii) निदेशक, सभी केंद्रीय प्रशिक्षण संस्थान (इरीसेन, इरीन, इरिमी, इरिसेट, आईआरआईटीएम)

प्रतिलिपि अग्रेषित :

रेल मंत्री, रेल राज्य मंत्री (एस), रेल राज्य मंत्री (आर), अध्यक्ष एवं मुख्य कार्यकारी अधिकारी रेलवे बोर्ड, सदस्य (कर्षण एवं चल स्टॉक), सदस्य (इन्फ्रा), सदस्य (परिचालन एवं व्यवसाय विकास), सदस्य (वित्त), सचिव रेलवे बोर्ड, महानिदेशक (मानव संसाधन), महानिदेशक (रेल स्वास्थ्य सेवाएं), महानिदेशक (रेल सुरक्षा बल), महानिदेशक (संरक्षा), सभी अपर सदस्य, प्रधान कार्यपालक निदेशक, कार्यपालक निदेशक एवं संयुक्त सचिव, उप सचिव (सामान्य), रेलवे बोर्ड के पीएसओ/सीनियर पीपीएस/पीपीएस/पीएस/एपीएस।

राजीव शर्मा
संयुक्त सचिव
Rajeev Sharma
Joint Secretary

743
15/1



भारत सरकार
सामाजिक न्याय और अधिकारिता मंत्रालय
दिव्यांगजन सशक्तिकरण विभाग
Government of India
Ministry of Social Justice & Empowerment
Department of Empowerment of Persons with Disabilities (Divyangjan)

D.O. No. CC-12016/1/2023-CCPD

Dated: 13th January, 2025

Dear

Madam/Sir,

Greetings from the Department of Empowerment of Persons with Disabilities.

As you are aware, the parliament enacted the Rights of Persons with Disabilities Act, 2016 to develop the India into an inclusive and accessible nation where the individual autonomy and dignity of persons with disabilities, their freedom of choice, divergent needs and capacities are respected by one and all. The Act provides several rights to the persons with disabilities with respect to education, employment, accessibility, justice, etc. and thus creates legally binding obligations on state as well as non-state agencies. It is noted with due concerns that there is widespread lack of awareness and sensitivity in the government establishments about the provisions of this Act. Often, it is brought to the notice of this department that government establishments are not responding to the notices and recommendations issued under the provisions of the Act by statutory authorities.

To put the above in context, it is pointed out that the Act at Chapter XII envisages for establishment of an Office of the Chief Commissioner for Persons with Disabilities (CCPD) with a mandate to monitor implementation of the Act. Section 75 mandates the CCPD to *inter alia* identify, suo motu or otherwise, the provisions of any law or policy, programme and procedures, which are inconsistent with the Act and to look into complaints *inter-alia*, concerning matters relating to deprivation of rights of persons with disabilities either on his own motion or on the application of any aggrieved person and recommend necessary corrective steps.

In order to enable the CCPD to discharge its mandate effectively, Section 77 of the Act empowers it with the powers of a civil court and declares that the proceedings before it are judicial in respect of functions mentioned in the Section. Section 76 mentions that whenever the Chief Commissioner makes a recommendation to an authority in pursuance of clause (b) of section 75, that authority shall take necessary action on it, and inform the Chief Commissioner of the action taken within three months from the date of receipt of the recommendation.

Cont'd - 2

It further states that Provided that where an authority does not accept a recommendation, it shall convey reasons for non acceptance to the Chief Commissioner within a period of three months, and shall also inform the aggrieved person. In other words, the government establishment may or may not accept the recommendations, but not informing the CCPD of the action taken or reasons for non-acceptance is not an option before them. Unfortunately, in more than 50% of the cases, the establishments have failed to do so.

Lastly, Section 93 of the Act makes non-furnishing of information sought a punishable offence. The CCPD though, empowered to imposes fines under Section 89 of the Act, has used this rarely. It has been observed that in about 80% of the cases the notices for comments are responded to only after issue of a reminder or a notice for persons hearing. In still worse cases, some establishments fail to appear or get represented during the hearings as well. Recently, Hon'ble Supreme Court has admitted a PIL namely Dr. Satender Singh Vs UOI {WP(C) 636/2024} on this very issue.

You are, therefore, requested to sensitise the officers of your ministries/departments as well as the establishment under the administrative control of your ministry/department against such disregard for the RPwD Act and authorities created under it.

Kind regards

Yours sincerely,

(Rajeev Sharma)

To,

Secretary
All Ministries/ Departments

Sent
07/02/25