

MOST URGENT

**GOVT. OF NCT OF DELHI
DEPARTMENT OF TRADE AND TAXES
HUMAN RESOURCE BRANCH: ROOM NO. 315
3RD FLOOR, VYAPAR BHAWAN: NEW DELHI-110002**


Sub: Registration of Equal Opportunity Policy in r/o the Department of Trade & Taxes, under Section 21 of the Rights of Persons with Disabilities Act, 2016-regarding.

Please find enclosed herewith the copy of letter No. 933/1015/2019/06/8400 dated 25.11.2019 received from the Section Officer (PwD), O/o the Hon'ble Court of State Commissioner for Persons with Disabilities, GNCTD vide which it has been informed that the 'Equal Opportunity Policy for Persons with Disabilities' drafted in r/o Department of Trade & Taxes, GNCTD (copy enclosed) has been assigned Registration No. **EOP/DL/Discom/74/2019.**

It is therefore, requested to take necessary action to display the 'Equal Opportunity Policy' on the website of this department and at conspicuous places in the premises of this department at the earliest, under intimation to this office, so that the Hon'ble Court of State Commissioner for Persons with Disabilities, GNCTD may be apprised accordingly.

This issues with the prior approval of the Competent Authority.

Encl.: As above.


**ASSTT. COMMISSIONER (HR)
TEL. NO. 011-23705429**

Sr. System Analyst(IT), EDP Cell/ Asstt. Comm.(FM Branch), DT&T GNCTD.
U.O. No. F.IV/02/HR/T&T/Disability/2019/10165 Dated: 11/12/19

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**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF TRADE AND TAXES
VYAPAR BHAWAN,
NEW DELHI**

EQUAL OPPORTUNITY POLICY FOR PERSONS WITH DISABILITIES

(Registered in the Hon'ble Court of State Commissioner for Persons with Disabilities, GNCT of Delhi vide Registration Number EOP/DL/Discom/74/2019)

Section 21 of the Rights of Persons with Disabilities Act 2016 and Rule 12 of the Delhi RPwD Rules, 2018 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 in 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.
- (3) The establishment shall display the equal Opportunity Policy preferably on their website, failing which, at conspicuous places in their premises.

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 Trade & Taxes, GNCT of Delhi frames the following Equal Opportunity Policy for Persons with Disabilities:-

Policy Statement:

The Department, of Trade & Taxes 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-** Department of Trade & Taxes 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 Posts sanctioned for the Department are identified for Persons with Disabilities by the respective Cadre Controlling Authorities.

(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: No direct recruitments or promotions for cadre posts are made by this department. The same are done by the concerned cadre controlling authorities viz. Services/Finance/Planning/IT Departments etc. As far as outsourcing of contractual employees against sanctioned posts is concerned, the department has issued instructions to outsourcing agency to provide reservation to persons with disabilities as per rule.

(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 along 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. 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 the office of State Commissioner for Persons with Disabilities.

(iii) Preference in transfer and posting: As far as possible, the persons with disabilities may be exempted from the rotational transfer policy and be allowed to continue in the same job, where they would have achieved the optimum performance 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. 25011/1/2008-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. 28016/02/2007-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 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: Allotment of Residential Accommodation does not come under the purview of this department.

(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 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, as per rule, from the office from which they draw their salary. 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 and Grievance Redressal Officer.

The Department of Trade & Taxes has designated GSTO(HR), HR Branch, Room No. 315, 3rd Floor, Department of Trade & Taxes as a Liaison Officer as well as Grievance Redressal Officer who is responsible for taking initiative and providing the requisite support needed to realize the goals of an inclusive and accessible workplace.

The Liaison Officer is 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.

As a Grievance Redressal Officer GSTO(HR) has to 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.

(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 persons 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.

The above policy covers full time/part time employees, 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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In the Court of State Commissioner for Persons with Disabilities
National Capital Territory of Delhi

25-D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-110002
Phone: 011-23216003-04, Telefax: 011-23216005, Email: comdis.delhi@nic.in

[Vested with powers of Civil Court under the Rights of Persons with
Disabilities Act, 2016]

F. No. 933/1015/2019/06/ 8400

Dated: 25.11.19

To,

The Asstt. Commissioner (HR),
Department of Trade and Taxes,
Human Resource Branch, Room No. 315,
3rd Floor, Vyapar Bhawan, New Delhi-110002

**Sub: Equal Opportunity Policy (Registration): Department of Trade & Taxes,
GNCT of Delhi.**

Sir/Madam,

I am directed to refer to your letter F.No.IV/02/HR/T&T/Disability/2019/
9578 dated 19.11.2019 regarding the Equal Opportunity Policy in r/o.
Department of Trade & Taxes, GNCT of Delhi u/s 21 of the Rights of Persons
with Disabilities Act, 2016 and Rule 8 of the Right for Persons with Disabilities
Rules, 2017. The said EOP has been assigned Registration No. EOP/DL/
Discom/74/ 2019.

2. You are advised to display the Equal opportunity Policy preferably on your
website or at conspicuous places in your premises.



(Santosh Kumar)
Section Officer (PWD)

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29.11.19

Sh. Santosh

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29/11/19