

## **Equal Opportunity Policy for persons with disabilities**

### **1. INTRODUCTION**

National Institute of Science Education and Research (NISER) as an institution of science education and Research is committed to provide equal opportunities to all sections of the NISER community. While doing this, the NISER casts special attention to the specially-abled persons to provide equal opportunity in availing themselves of the resources of the NISER. In order to enable this, the it has formulated this Equal Opportunity Policy in the light of “*The Rights of Persons with Disabilities Act, 2016 (RPwD Act)*” adopted by the Government of India.

The Rights of Persons with Disabilities Act, 2016 (the “Disabilities Act, 2016”) along with the Rights of Persons with Disabilities Rules, 2017, together, the “Disability Law” has been enacted by the Indian Government<sup>1</sup>. The new Disability Law gives effect to the principles of the *United Nations Convention on the Rights of Persons with Disabilities*. The Disability Law *inter alia* seeks to protect disabled persons from various forms of discrimination, increases measures for effective participation and inclusion in the society, and ensures equality of opportunity and adequate accessibility.

NISER has already implemented several parts of the requirements under the Act and plans to take care of the remaining aspects so that the requirements are fulfilled at the earliest possible time.

The Equal Opportunity (EO) Policy has been made in conformity with The Rights of Persons with Disabilities Act, 2016, to the extent feasible under the present infrastructure of NISER.

### **2. PURPOSE**

The EO Policy of NISER is to provide equal opportunities to the specially abled students and employees of the NISER without any discrimination, on the grounds of age, colour, marital status, physical ability, nationality, race, religion, sex, sexual orientation or any other relevant for the purpose.

Based on the above considerations, NISER shall strive to maintain a working environment that is free from any harassment. This EO Policy is subject to applicable regulations, qualifications, and merit of the individuals concerned. This Policy shall be consistently applied throughout the period of studentship (for students) and employment of the individual from the recruitment process until superannuation (for employees).

### **3. DEFINITION**

The definitions of different terms used in this Policy will be as per the Rights of Persons with Disabilities Act, 2016.

#### **4. SCOPE**

The EO Policy of NISER shall cover all persons with disabilities, who come under the administrative control of the NISER. This would include employees (regular, ad hoc, part time, contractual, and temporary) and students along with interns and trainees. Further, the employees and students who acquire disability during their engagement with NISER would also be cover by the present policy.

#### **5. COMMITMENT**

As specified in the Rights of Persons with Disabilities Act, 2016, NISER is duty bound to the following:

##### **5.1 RIGHTS AND ENTITLEMENTS**

###### **a) Equality & Non-discrimination**

- (i) NISER shall ensure that the persons with disability enjoy the right to equality, life with dignity and respect for his or her integrity with others.
- (ii) It will make sure that no persons with any kind of disabilities shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.
- (iii) No person shall be deprived of his or her personal liberty on the ground of disability.
- (iv) It shall take measures to protect persons with disability from being subjected to torture, cruel, inhuman or degrading treatment.

###### **b) Protection from Abuse, Violence, and Exploitation**

NISER shall take following measures to protect persons with disabilities against abuse, violence, and exploitation:

- (i) Create awareness and make available information among the public.
- (ii) Take cognizance and provide available legal protection to the persons with disabilities in matters relating to abuse, violence and exploitation as per its bye-laws and rules and regulations

###### **c) Casual Leave**

The employee with disabilities may avail extra days of special casual leave in addition to regular eight (08) days of casual leave per year as per the provision of GOI leave rules as notified from time to time.

##### **5.2 EDUCATION**

To provide inclusive education to the students with disabilities the NISER shall-

- (i) Admit the students without discrimination and provide education and opportunities for sports and recreation activities equally with others;
- (ii) Detect specific learning disabilities in students (in terms of course curriculum) at the earliest and take suitable pedagogical and other measures to overcome them;

- (iii) Make the entire campus barrier free so that services become accessible to the Persons with Disabilities as far as possible within its infrastructure
- (iv) Provide necessary support, individual or otherwise, in creating an environments that would nurture academic and professional potentialities at par;
- (v) Ensure that the education to persons who are blind or deaf or both is imparted in the most appropriate languages and modes and means of communication;
- (vi) Monitor participation, progress in terms of attainment levels and completion of education in respect of every student with disability;
- (vii) Assist / arrange to obtain scholarships in appropriate cases to students with benchmark disability;
- (viii) Provide books, other learning materials and appropriate assistive devices to students with benchmark disabilities up to the completion of the degree;

### **5.3 Special Provisions for Persons with Benchmark Disabilities**

Reservation in higher educational institutions:

- (i) NISER shall reserve seats for persons with benchmark disabilities as notified by the Government of India from time to time.
- (ii) The persons with benchmark disabilities shall be given an upper age relaxation of five years for admission for higher education.

### **5.4 EMPLOYMENT**

#### **Non-discrimination in employment**

- (i) NISER shall provide reasonable accommodation and appropriate barrier free and conducive environment to the employees with disabilities;
- (ii) No promotion shall be denied to a person on the ground of disability;
- (iii) NISER shall not dispense with or reduce in rank, an employee who acquires a disability during his or her service;
  - a. Provided that, if an employee after acquiring disability is not suitable for the post he/she was holding, shall be shifted to some other post with the same pay scale and service benefits:
  - b. Provided further that if it is not possible to adjust the employee against any post, he/she may be kept on a supernumerary post until a suitable post is available or he/ she attains the age of superannuation, whichever is earlier.
- (iv) NISER shall organize various in-house programmes such as orientation, refresher course and other programmes as may be deemed appropriate and suitable for the employees with disabilities.

### **5.5 MAINTENANCE OF RECORDS**

NISER shall maintain records of the persons with disability in relation to the matter of employment and enrolment of students, facilities provided and other necessary information in compliance with the provisions, in such form and manner as may be prescribed by the Central Government or DAE.

## **5.6 GRIEVANCE REDRESSAL CELL AND GRIEVANCE REDRESSAL OFFICER**

As per the mandate of The Rights of Persons with Disability Act, NISER shall establish a Grievance Redressal Cell and appoint a Grievance Redressal Officer.

### **5.6.1 Composition and Tenure of the Grievance Redressal Cell**

- (i) The **Grievance Redressal Officer** appointed under Section 23(1) of the RPwD Act, 2016, of the Government of India, as the *Ex-Officio* **Chairperson**
- (ii) Two permanent employees (one male and one female) having adequate legal knowledge or issues associated with persons with disabilities as Members.
- (iii) Two employee representatives with disabilities (one male and one female) as Members.
- (iv) Two student representatives (one male and one female) as Members.
- (v) Two student representatives with disabilities (one male and one female) as Members.
- (vi) One **External Member** from a disability organisation who is familiar with issues of discrimination on the basis of disability.
- (vii) **Nodal Officer** (for looking after the issues of implementation of reservation in employment and maintenance of rosters) as the **Member Secretary**.

The Members from the employee side and the external member to the committee would hold the office for a period of three (3) years while the membership of the student representatives would expire on the completion of their respective academic programmes or completion of three (3) years or whichever is earlier.

### **5.6.2 The Duties and Responsibilities of the Grievance Redressal Officer**

- (i) Taking initiative and providing the requisite support to realise the goals of an inclusive and accessible workplace along with accommodation;
- (ii) Addressing grievances of persons with benchmark disabilities;
- (iii) To maintain a register of complaints in the manner as may be prescribed by the Central Government. Complaint shall be inquired within two weeks of its registration. If the aggrieved person is not satisfied with the action taken on his or her complaint, he or she may approach the District- Level Committee on disability;
- (iv) Implementing the action plan and developing proactive strategies to prevent discrimination and harassment;
- (v) Ensuring employees and students are aware of the Equal Opportunity Policy;
- (vi) The Grievance Redressal Officer will share the quarterly report with NISER authority.
- (vii) Creating an environment where all employees are encouraged to report any incidents of violation of rights of the persons with disabilities to the concern authority.

## **5.7 SOCIAL SECURITY, HEALTH, CLUTURE & RECREATION & SPORTS ACTIVITIES**

**Social Security** will be provided as per the rules of DAE, Government of India, applicable to the NISER.

**Health** care services/ facilities will be provided as per the rules of DAE, Government of India, applicable to the NISER.

**Culture and Recreation** services would include facilities, support and sponsorship to pursue their interest and talents. NISER, *within the limit of its economic capacity*, would work to develop technology, assistive devices, equipment to facilitate, and inclusion of persons with disabilities in recreational activities.

**Sports and other Activities**, NISER, *within the limit of its economic capacity*, shall take following steps:

- a) shall take measures to ensure effective participation of persons with disabilities in sports activities;
- b) shall accord due recognition to the rights of persons with disabilities and shall make due provisions for promotion and development of their sporting talents;
- c) without prejudice to the provisions mentioned under (a) & (b) above, the competent authority and the sport's authority shall take measures to-
  - (i) restructure courses and programmes to ensure access, inclusion and participation of persons with disabilities in all sporting activities;
  - (ii) redesign and support infrastructure facilities of all sports activities for persons with disabilities;
  - (iii) develop technology to enhance potential, talent, capacity and ability in sports activities of all persons with disabilities;
  - (iv) provide multi-sensory essentials and features in all sporting activities to ensure effective participation of all persons with disabilities;
  - (v) allocate funds for development of sport facilities for training of persons with disabilities;
  - (vi) promote and organise disability specific sport events for persons with disabilities and also facilitate awards to the winners and other participants of such sporting events.

## **5.8 DIGITAL INFRASTRUCTURE**

NISER shall follow the Standards for Information and Communication Technology as given in the Rights of Persons with Disabilities Rules, 2017, such as-

- (i) Website Standards: Guidelines for Indian Government Websites (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.

## **5.9 OTHER INFRASTRUCTURE DEVELOPMENT/ASSISTIVE AIDS REQUIRED**

### **5.9.1 Locomotors**

- (i) Ramps with railings/ lifts in all buildings up to the top floor including public utility areas.

- (ii) Wheelchair facilities in all buildings.
- (iii) Special furniture.
- (iv) Availability of barrier free wash/ rest rooms facilities (at least one in every buildings preferably ground floor).

### **5.9.2 Visually Impaired (VI)**

- (i) Braille books and software (JAWS) and other reading assistive devices.
- (ii) Tactile pavers on corridors and other passages.
- (iii) Special ATMs for the Visually Impaired
- (iv) Availability of White Canes

### **5.10 RESERVATION**

As per the rules of Government of India, applicable to the NISER.

### **5.11 GUIDELINES FOR CONDUCTING WRITTEN EXAMINATION FOR PERSONS WITH BENCHMARK DISABILITIES**

NISER shall follow the guidelines applicable to all PwD Candidates as issued by Department of Persons with Disabilities (Divyangjan), Ministry of Social Justice and Empowerment, GOI, OM, dated 29<sup>th</sup> Aug, 2018.

### **5.12 MANDATORY OBSERVANCE OF ACCESSIBILITY NORMS**

NISER shall ensure that all physical infrastructures including buildings, furniture, facilities and services in the building/campus are as per the accessibility Standards given in the Harmonised Guidelines and Space Standards for Barrier Free Environment for Persons with Disabilities and Elderly Persons, 2016 and the National Building Code, 2016.

Further, it is noted that this policy will get updated whenever there is any amendment in the Rights of Persons with Disabilities Act 2016 and the Rights of Persons with Disabilities Rules 2017.

The above policy is approved by the competent authority of NISER, subject to ratification by the Board of Governors (Which is the highest decision making authority at NISER).

The Grievance Redressal Cell is being constituted separately.