

RECEIVED
No. 4731
Date 26/9/19
DIRECTOR
GOVT. CENT.
To

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI,
ADMINISTRATIVE REFORMS DEPARTMENT,
7TH LEVEL, C-WING, DELHI SECRETARIAT,
I.P. ESTATE, NEW DELHI-110002.
Email: arupdate@nic.in

Dated: 23.08.19

No: F.03/02/AR/2019/9827-9906

1. All Pr. Secretaries/Secretaries/HODs, Govt. of NCT of Delhi.
2. All Heads of Local Bodies/Undertakings/Autonomous Bodies/Boards/
Corporations, Govt. of NCT of Delhi.

**Subject: Regarding the protection of Rights of Persons with Disabilities-compliance
of statutory order in respect of Section-13 of RCI Act.**

Sir,

A Statutory Warning has been issued by Rehabilitation Council of India on 14.5.2019 on the subject "Practicing without RCI Registration in Govt./Non Govt. Organization and by any private practitioner is an Offence under Section 13(3) of RCI Act No. 34 of 1992" (copy enclosed). The same is as under:

"Any person who acts in contravention of any provision of sub-section (2) shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both".

In this connection, Hon'ble Minister (SW) has directed to convey that essential service during physical, mental & vocational rehabilitation in the lives of person with disabilities are technical in nature hence needs to be checked through a legal framework.

It is therefore, all departments of GNCT of Delhi are requested to comply with Section-13 of RCI ACT.

This issues with prior approval of Pr. Secretary (AR)

Encl: as above

Yours faithfully,

(L. R. SINGH),

DY. DIRECTOR-I (AR)
Ph:011-23392483

Copy to:

1. OSD to Minister, Social Welfare, SC & ST, RCS & GE, Govt. of NCT of Delhi, C-Wing, 7th Level, Delhi Secretariat, I.P. Estate, New Delhi-110002 w.r.t. letter No. F.OSD/VV/MIN/2019/4008 dated 27.06.2019.



OFFICE OF THE MINISTER
(SOCIAL WELFARE, SC & ST, RCS & GE)
Govt. of NCT of Delhi
C-WING, 7TH FLOOR, DELHI SECRETARIAT
I.P ESTATE, NEW DELHI- 110002

F.OSD/VV/MIN/2019/ 4008

Dated: 27.06.2019

Undersigned is directed to forward the representation received from the Gen. Secretary. Federation of Disabled rights, New Delhi. It is regarding protection of right of person with disabilities by issuing order/mandatory instructions by the Administrative Reforms Department to follow the statutory warning issued by the Rehabilitation Council of India (copy attached)

Hon'ble minister has further directed to convey that essential service during physical mental & vocational rehabilitation in the lives of person with disabilities are technical in nature hence needs to be checked through a legal framework.

Therefore, **Administrative Reforms Department must** issue an order/ instruction that in every department where such posts are existing or will be created for the services in Homes, Institutions, Rehabilitation centres and any other setup for person with disabilities, **section-13 of RCI** act shall be mandatory to follow for which departments are requested to complete all administrative approval from their competent authorities.

Copy of the same may also be provided to this office for the appraisal of Hon'ble Minister(SW).

(Vishal Verma)

OSD to Hon'ble Minister, SW

Encl: As above

Pr. Secretary (Administrative Reforms Department)

Copy for information: General Secretary Federation of Disabled Rights
G-332, Mangolpuri, New Delhi-110083

5404/AR/Comp.
13/8/19

13/8/19

13/8/19
RALVBY

27/06

Ref. No. FDR/2019/D-514

Date 27-06-2019

To,

Sh R P Gautam Ji
Hon'ble Minister of Social Welfare
Govt. of NCT of Delhi
Delhi Secretariat, New Delhi

Sub: regarding the protection of Rights of Persons with Disabilities by issuing order/mandatory instructions by Administrative Reforms Department in respect of Amendments of Recruitment Rules and subsequent creation of posts to serve person with disabilities.

Ref: Compliance of statutory order in respect of Section -13 of RCI Act.

Dear Sir,

Federation of Disabled Rights -FDR is a non government organization working in the field of disability since 2013, with the vision that each person with disability should live a dignified life by getting quality services.

We, representing persons with disabilities have tried to find out major reason due to which services, institutions and policies are not only substandard but also being provided or served by unqualified professional in disabilities. Govt. sector is particularly violating the established rules meant to protect the rights of persons with disabilities in respect of services not being provided by the RCI registered professionals.

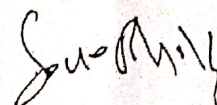
It is the high time to act and take corrective measures by the department of Administrative Reforms of Delhi, therefore, it is request that Administrative Reforms Department must issue an order/ instructions that in every department where posts are existing or will be created for the services in Homes, Institutions, Rehabilitation centers and any other setup for persons with disabilities section -13 of RCI Act will be mandatory to follow for which departments are requested to complete all administrative approvals from their competent authorities.

It is further emphasize that all sensitive posts which are responsible for supervision, monitoring and policy framing of services which are not only technical in nature but also required skillful/ expertise of professionals in disabilities like Mental Retardation Locomotor Disabilities, Visual Impairment, Speech and Hearing Impairment, Hemophilia Muscular Dystrophy etc. for which only Rehabilitation Council of India and Occupational Therapy (OT) & Physical Therapy (PT) Council of Delhi are authentic Govt. approved bodies which are strictly monitoring the Research and Development program for persons with disabilities.

Such reforms will surely improve the quality of services for 21 categories of disabilities covered under the Rights of Persons with Disabilities Act 2016.

We do believe as your good self could lead our movement of rights based society and towards more growth and improvement over the organizations commitment towards quality services at society.

Kindly do the needful and obliged.



Gen. Secretary Desk
Federation of Disabled Rights - FDR

Encl. As above



STATUTORY WARNING

Practicing without RCI Registration
In Govt./Non Govt. Organization and by any Private Practitioner
is an Offence under section 13 (3) of RCI Act No. 34 of 1992


It has been observed by the Council that Children with Disabilities (Divyangjan) are being trained/ served by Quacks/Unqualified/Non-registered Personnel/Professionals.

If anyone found serving "Persons with Disabilities (Divyangjan)", without having RCI Certification, shall be prosecuted before the Court of Law under Section 13(3) of RCI Act, 1992 as under:

Any person who acts in contravention of any provision of sub-section (2) shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both".

General Public is requested to report such instances to the Council along with documentary evidence by post/fax/email to enable the Council to take appropriate action such as filing of FIR against such persons.

"This Statutory Warning is issued in public interest".


14.5.2019
(Dr. Subodh Kumar)
Member Secretary