

THE GAUHATI HIGH COURT AT GUWAHATI

(THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM & ARUNACHAL PRADESH)

Dated Guwahati, the 27th February, 2024

Equal Opportunity Policy for Persons with Disabilities

Whereas, India is a signatory of the Convention of Rights of Person with Disabilities and the Parliament had enacted the Rights of Persons with Disabilities Act, 2016, which seeks to operationalize and give concrete shape to the promise of full and equal citizenship held out by the Constitution to the disabled and to execute its ethos of inclusion and acceptance.

Whereas, the fundamental postulate upon which the Rights of Persons with Disabilities Act, 2016, is based is the principle of equality and non-discrimination. Section 3 casts an affirmative obligation on the government to ensure that persons with disabilities enjoy (i) the right to equality; (ii) a life with dignity; and (iii) respect for their integrity equally with others.

Whereas, the principle of reasonable accommodation captures the positive obligation of the State and private parties to provide additional support to persons with disabilities to facilitate their full and effective participation in society.

Whereas, Section 21 of the Rights of Persons with Disabilities Act, 2016, mandates that every establishment shall notify equal opportunity policy detailing measures proposed to be taken. Therefore, pursuant to Sec. 21 of the Rights of Persons with Disabilities Act, 2016 (hereinafter referred to as the RPwD Act) and Rules 8, 9 and 10 under Chapter – IV and Rules 12, 13 and 14 under Chapter – V of the Rights of Persons with Disabilities Rules, 2017 (hereinafter referred to as the RPwD Rules), the Gauhati High Court frames the following Equal Opportunity Policy for Persons with Disabilities (hereinafter referred to as PwDs) for all the Courts under its jurisdiction: