





# TNOU Equal Opportunity Policy for Persons With Disabilities 2021

AS REQUIRED UNDER SECTION 21(1) OF THE RIGHTS OF PERSONS WITH DISABILITIES (RPWD) ACT, 2016 OF THE GOVERNMENT OF INDIA







#### Tamil Nadu Open University

[A State Open University established by Government of Tamil Nadu, Recognized by UGC-DEB, Member in Asian Association of Open Universities and Association of Commonwealth Universities]

No- 577, Anna Salai, Saidapet, Chennai -600015, Tamil Nadu, India

Prof. K.Parthasarathy Vice Chancellor

03.12.2021

#### **Foreword**

Dear Stakeholders, Greetings!

It gives me immense pleasure that the Tamil Nadu Open University brings out a Policy Document entitled "TNOU Equal Opportunity Policy for Persons with Disabilities 2021" for the first time with a view to making mainstream of persons with disabilities in all activities of the University. This Policy is formulated in compliance with the provisions of the Rights of Persons with Disabilities Act, 2016, and the orders and provisions issued by Government of Tamilnadu. As per this Policy, TNOU will ensure the implementation of all norms specified to provide equal opportunities and experiences to persons with disabilities in academic studies and employment by creating inclusive environment at the University.

I feel proud to state that the TNOU is a pioneer in the State in establishing an exclusive School of Special Education and Rehabilitation (SOSER) in 2009 for offering Teacher Training Programmes, and other related Programmes with the approval of the Rehabilitation Council of India (RCI), New Delhi. And it also institutes a full-fledged "Centre for Multimodal Material Production for Differently Abled" (CMMPD) to cater to the needs of persons with disabilities for their education and rehabilitation purpose.

This Policy document includes Definitions of related terms for the functioning of the University towards persons with disabilities; Policy statement and its objectives; Education services from admission to examinations; Administrative service; Employment services; Barrier free accessibility; and Grievance redressal. Further, it has cited the references from the available policies, government orders and provisions related to persons with disabilities wherever required.

In this context, I wish to thank Thiru. Johny Tom Varghese, I.A.S., Director for Welfare of the Differently Abled, Govt. of Tamil Nadu, for the support in implementing this Policy with letter and spirit.

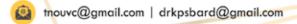
I profoundly congratulate the Drafting Committee of this Policy comprising Dr. M. Manivannan (Chairperson), and members namely, Dr. B. Anupama Devi, Thiru. R.M. Tamil Selvan, Thiru. S. Ramalingam, Dr. R. Sree Priya, Dr. S. Ramu, and Ms. P. Paveethra who have drafted this Policy cohesively.

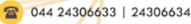
I also hope that by acquiring the knowledge of norms stated in the Policy, we can provide and protect the rights of the persons with disabilities in our University.

"Give the persons with disabilities equal opportunities and experiences, to show their innate and latent potentialities"

With warm regards,

(K.PARTHASARATHY)















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## TNOU Equal Opportunity Policy for Persons with Disabilities 2021

As required under Section 21(1) of the Rights of Persons with Disabilities (RPwD) Act, 2016 of the Government of India

#### 1. Preamble

amil Nadu Open University was established in 2002 by an Act of (No.27 of 2002) of Tamil Nadu Legislature, with the objective of introducing and promoting Open and Distance Education in the State. The University started functioning with effect from 6<sup>th</sup> February, 2003.

Since its inception, the University has been offering cost-effective, socially-relevant Open and Distance Learning (ODL) programmes to the hitherto unreached as well as the disadvantaged groups such as those live in remote and rural areas including working people, housewives, persons with disabilities and schedules caste and scheduled tribe people.

Tamil Nadu Open University has been recognised by the University Grants Commission (UGC) under Section 2(f) of the UGC Act, 1956 [vide UGC Notification No.F.9-11/2004 (CPP-1) dated August 20,2004]. Also, it is accorded with the recognition of 12-B Status by UGC [F.No. 1-6/2018(DEB-1) Dated 03.10.2018]. Tamil Nadu Open University is the member of the Association of Asian Open Universities, Association of Indian Universities and International Council for Open & Distance Education.

Tamil Nadu Open University has established a separate School of study namely, Special Education and Rehabilitation with the recognition of the Rehabilitation Council of India. This school has been conducting Various special education programmes since 2009. This School has a Centre for Multimodal Ma-





terial Production for Differently Abled to facilitate students with disabilities with assistive devices and materials on need basis.

This policy is made to adhere to the principles of the United Nations Convention on Rights of Persons with Disabilities, 2006 that demands countries to protect persons with disabilities from any form of discrimination, to ensure equal opportunity, enhance effective participation, and provide adequate accessibility which makes inclusive society possible for them.

This policy is published as required under Section 21(1) of the Rights of Persons with Disabilities (RPwD) Act, 2016 of the Government of India which has lead Government of Tamil Nadu to publish the Tamil Nadu Rights of Persons with Disabilities Rules in 2018 to give effect to the Rights of Person with Disabilities, 2017 of Government of India which was published as required by the sub-sections (1) and (2) of section 100 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) in the Gazzette of India.

#### 2. Definitions

In this policy, unless the context otherwise requires,-

- a) "Act" refers to the Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016).
- b) "Accessibility" means (i) the standard for public buildings as specified in the Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disabilities and Elderly Persons as issued by the Government of India, Ministry of Urban Development in March, 2016; (ii) the products and services rendered by the TNOU like Self Learning Materials, official communications and publications, Website etc., produced with an aim to make them accessed by persons with disabilities without others' help.
- c) "Benchmark Disabilities" means the 21 type of disabilities defined in the RPwD Act, 2016.
- d) "Centre" means a Centre established by the TNOU for a specific purpose.





- e) "Discrimination" means any distinction, exclusion, restriction on the basis of disability which is the purpose or effect of impairing or nullifying the recognition, enjoyment of exercise on an equal basis with others of all human rights and fundamental freedoms in administrative and academic fields and includes all forms of discrimination and denial of reasonable accommodation.
- f) "Division" means an administrative division which functions for a specific administrative work of the TNOU.
- g) "Employee" means any employee with disability of the TNOU, both in teaching, and the in administration appointed/outsourced by the TNOU who is working at its Headquarters and the Regional Centres.
- h) "Headquarters" means the head office of the Tamil Nadu Open University situated at Saidapet, Chennai-600015.
- i) "Learners Support Centre" means the Learner Support Centres approved by the TNOU to facilitate the learners academically.
- j) "Person with Disability" means any member of faculty, staff, students, or research scholar of TNOU affected with 40% or more with specified disabilities as listed below and having a valid Disability Identity Card provided by a competent Government authority listed in the Act.
  - 1. Acid attack Victim
  - 2. Autism Spectrum Disorder
  - 3. Blindness
  - 4. Cerebral Palsy
  - 5. Chronic Neurological Conditions
  - 6. Deafness
  - 7. Dwarfism
  - 8. Haemophilia





- 9. Hard of Hearing
- 10. Intellectual Disability
- 11. Leprosy cured
- 12. Locomotor disability
- 13. Low vision
- 14. Mental illness
- 15. Multiple Disabilities
- 16. Multiple sclerosis
- 17. Muscular Dystrophy
- 18. Parkinson's disease
- 19. Sickle Cell disease
- 20. Specific Learning Disability
- 21. Speech and Language Disability.
- k) "Policy" means the TNOU Equal Opportunity Policy for Persons with Disabilities, 2021.
- freedomable accommodation" means necessary and appropriate modification and adjustments, without imposing a disproportionate or undue burden in a particular case, to ensure persons with disabilities enjoy and exercise equal rights as others.
- m) "Regional Centre" means the Regional Centres of the Tamil Nadu Open University established within its jurisdiction to cater to the needs of learners.
- n) "School" means a School of Study established by TNOU at its Headquarters to offer specific programmes of study.
- o) "Student" means any student with disability of the TNOU who pursues a programme of study.





p) "TNOU" means the Tamil Nadu Open University established in 2002 by an Act of (No.27 of 2002) of Tamil Nadu Legislature to offer programmes of study.

#### 3. Policy

he Tamil Nadu Open University shall protect the rights of persons with disabilities as per the Acts and Laws of the Government of Tamil Nadu and the Government of India.

#### 3.1 Policy Statement

amil Nadu Open University created this policy for providing equal rights and opportunity for persons with disabilities based on the Rights of Persons with Disabilities Act, 2016. This policy is pronounced as "TNOU Equal Opportunity Policy for Persons with Disabilities 2021", and the short form is "TNOU EOP for PwDs 2021".

#### 3.2 Policy Objectives

The following are the objectives of the TNOU EOP for PwDS 2021:

- TNOU shall provide equal opportunity to persons with disabilities in employment and education under its purview abiding by the Rights of Persons with Disability Act, 2016.
- TNOU shall ensure appropriate accessibility to persons with disabilities to exercise their rights, discharge their duties and do their studies as well independently.
- 3) The TNOU shall ensure that the provisions of sub-section (3) of section 3 of the RRWD Act are not misused to deny any rights or benefits to persons with disabilities covered under the Act.

#### 3.3 Education Services

ny student with a benchmark disability, who pursues a programme of study, in the TNOU shall be entitled to the following provisions.





#### 3.3.1. Admission

- a) TNOU shall follow 5% reservation for persons with disabilities in admitting them in all the programmes of study as per the Act.
- b) TNOU shall assist persons with disabilities at every stage of admission process either through online or offline as per the convenience of each person with disabilities.
- c) Students with disabilities shall be exempted from paying special fees and tuition fees for all the programmes of study in the TNOU, as per Tamil Nadu Government Orders.

#### 3.3.2. Learner Support Centre (LSC) Services

- a) TNOU shall ensure that all the students with disabilities admitted to various programmes of study can get appropriate assistance from the concerned Learner Support Centre with regard to their various learning needs.
- b) TNOU shall provide, to all the students with disabilities, reasonable accommodation in the form of accessible SLMs such as Braille books, large printed SLMs and tactile aids for students with visual impairment, audio books and sign language learning contents for students with hearing impairment, etc., as per the needs of each student with disability.

#### 3.3.3. Headquarters of TNOU Services

- a) TNOU shall produce various accessible and multimodal learning materials through Centre for Multimodal Material Production for Differently Abled (CMPD) and supply them to students with disabilities.
- b) TNOU shall organize various programmes on capacity building, guidance and counselling through the School of Special Education and Rehabilitation, and placement drives through the Student Support and Service Division (SSSD).

#### 3.3.4. Examinations

NOU shall follow the "Tamil Nadu Guidelines for conducting examinations for persons with disabilities, 2021" and the "Guidelines for conducting written ex-





amination for persons with disabilities 2018" of the Department of Empowerment of Persons with Disabilities (Divyangjan), Ministry of Social Justice & Empowerment, Government of India, in all the examinations of the University.

- a) TNOU shall conduct Term End Examinations (TEE) for persons with disabilities at the accessible place for them. Proper seating arrangement shall be made in advance to avoid confusion/disturbance on the day of the examination.
- b) TNOU shall ensure that the reading materials, and question papers are provided in accessible format (Braille or large print or E-Text or on computers having suitable screen reading software, and accessible websites for open book and online examinations as per the international standards laid down in this regard).
- c) Students with benchmark disabilities shall be allowed to use assistive devices like talking calculator (in cases where calculators are allowed for exams), tailor frame, Braille slate, abacus, geometry kit, Braille measuring tape and augmentative communication devices like communication chart and electronic devices. Students with Autism, Intellectual disabilities, Specific learning disabilities, Speech and Landuage disorders shall be appropriately facilitated to complete their examinations.
- d) TNOU shall allow the facility of Scribe/Reader/Lab Assistant to students with visual impairment, both arm affected students with locomotor disability, cerebral palsy and other persons with benchmark disabilities having limitation in writing ability including that of speed, if so desired by the person.
- e) In case of other category of persons with benchmark disabilities, the provision of scribe/reader/lab assistant can be allowed on production of a certificate to the effect that the person concerned has physical limitation to write, and scribe is essential to write examination on his/her behalf, from the Chief Medical Officer/Civil Surgeon/Medical Superintendent of a Government health care institution from across the country, as per proforma at Appendix-I.





- f) The eligible candidate may have the option of opting his/her own scribe/
  reader/lab assistant or to request the Controller of Examinations, TNOU for
  the same. The examination wing may also identify the scribe/ reader/lab
  assistant to make panels at the District/Regional/State level as per the
  requirements of the examination. The scribe/reader shall have the qualification of matriculation or above, and not more than the minimum qualification criteria of the examination, if it is provided by the examination wing.
- g) In case the candidate is allowed to bring his/her own scribe, the qualification of the scribe should be one step below the qualification of the candidate taking examination. The persons with benchmark disabilities opting for own scribe/reader should submit details of the own scribe as per proforma at APPENDIX-II.
- h) There shall also be flexibility in accommodating any change in scribe/reader/lab assistant in case of emergency. The candidates shall also be allowed to take more than one scribe/reader for writing different courses especially for languages. However, there can be only one scribe per subject.
- i) Compensatory time of not less than 20 minutes per hour of examination shall be given for students with disabilities who are allowed to use scribe/reader/lab assistant. Other students with benchmark disabilities not availing the facility of scribe may be allowed minimum of one hour for 3 hour duration.
- j) TNOU shall give, to persons with benchmark disabilities, as far as possible, the option of choosing the mode for taking the examinations i.e. in Braille or in the computer or in large print or even by recording the answers as the examination wing can easily make use of technology to convert question paper in large prints. e-text, or Braille and can also convert Braille text in English or regional languages.
- k) In case, the persons with benchmark disabilities are allowed to take examination on computer system, they shall be allowed to check the computer system one day in advance so that the problems, if any in the software/system could be rectified. Use of own computer/laptop shall not be al-





lowed for taking examination. However, enabling accessories for the computer based examinations such as keyboard, customized mouse etc. shall be allowed.

Alternative objective type questions in lieu of descriptive questions shall be provided for persons with Hearing Impairment, in addition to the existing policy of giving alternative questions in lieu of questions requiring visual inputs, for persons with Visual Impairment.

#### 3.3.5. Scholarship and Schemes

he SSSD of TNOU shall facilitate the students with disabilities to get benefited from the scholarships and welfare schemes of the State and the Union Governments.

- a) Educational scholarships.
- b) Reader allowance for students with visual impairment.
- c) Transportation in Government road and railways.
- d) Chief Minister comprehensive health insurance scheme.
- e) Pension under social security schemes to unemployed persons with 40% and above with disabilities, and etc.

#### 3.3.6. Research Programmes

- a) TNOU shall conduct evidence based research for the better service to the employees and students of persons with disabilities, through its Schools of Study and the CMPD.
- b) TNOU shall support and facilitate the research scholars with disabilities of the University to carry out their research work without any hindrance.

#### 3.4. Administrative Service

a) The TNOU shall keep the Service Register and other records related to the employees with disabilities safely under the custodian of records. Those employees shall be allowed to verify these records with the prior approval of the competent authority of the University.





b) The TNOU shall maintain all the relevant records of students with disabilities from the time of their admission to the completion, and for future reference also. These records shall be kept confidential and handled by authorized officials only.

#### 3.5. Employment Services

he TNOU shall adhere to the Rights of Persons with Disabilities Act, 2016 and the Tamil Nadu Rights of Persons with Disabilities Rules, 2018 in employing persons with disabilities. The TNOU shall follow the Office Memorandom No.36035.02.2017-Estt(Res) of Department of Personnel & Training, Ministry of Personnel, Public Grievances & Pensions, Government of India dated 15.01.2018, and Tamil Nadu Government Order No.30 of 2017 in employing PwDs.

- 3.5.1. The TNOU shall clearly mention the percentage and number of posts reserved for persons with disabilities in all the recruitment notification. 4% of the total number of vacancies in group of posts shall be reserved for persons with benchmark disabilities in direct recruitment.
- 3.5.2. The TNOU shall nominate a person with disability/rehabilitation professional registered with the RCI in all the selection boards through which persons with disabilities are recruited.
- 3.5.3. The TNOU shall maintain a register of employees with disabilities, vacancy positions for persons with disabilities.
- 3.5.4. Any employee with disability of the TNOU shall be entitled to enjoy the provisions given to them by the State and Union Governments as listed below;
  - a) Avail a Special Casual Leave on December 3, as a sign of commemoration of International Day of Disability, as per TN G.O. Ms. No. 72, Social Welfare and Nutritious Meal Programme Department, dated 26.05.2019.
  - Special permission to leave office 15 minutes in advance as per TN
     G.O. Ms. No. 149, Personnel and Administrative Reforms Department, dated 19.08.2008.





- c) Professional Tax exemption as per Government of Tamil Nadu Gazette Extraordinary No. 145 dated 01.06.2012.
- d) To get transfer possibly at nearby hometown as per Tamil Nadu Government Letter (Ms) No. 92/S/09 dated 22.07.2009 of P&AR(S) Department.
- e) To get permanent employment with time scale after successful completion of 2 years of service on consolidated salary basis, as per TN G.O. Ms. No. 40, Department of Higher Education, Government of Tamil Nadu dated 03.03.2015.

#### 3.6. Barrier Free Accessibility and other Provisions

#### 3.6.1. Physical Infrastructure

he TNOU shall make sure that all its buildings are accessible to persons with disabilities in the following aspects, as per Government of India Manual 2016 on Harmonized guidelines and space standards for Barrier free built environment for persons with disabilities and elder persons. Ministry of Urban Development, Government of India.

- a) Main Entrance
- b) Ramps
- c) Parking
- d) Reception and Information Counters
- e) Doors
- f) Corridors
- g) Lifts
- h) Stairs
- i) Handrails
- j) Toilets





- k) Canteen
- Drinking water
- m) Signages
- n) Emergency Exits
- o) Public telephones
- p) Resting facilities

#### 3.6.2. Digital infrastructure

NOU shall make the website and the self learning materials accessible to suit to the needs of persons with disabilities, such as screen reader facility, colour contrast adjustment, voice assistance, etc.

#### 3.6.3. Reasonable accommodations

- i) TNOU shall provide reasonable accommodations such as accessible furniture, accessible computer systems, etc. to the employee with disabilities to work and contribute on par with others.
- ii) TNOU shall provide reasonable accommodations to the students with disabilities during the time of admission, academic counseling sessions, workshops, practical, and examinations to make them learn to their maximum capacity.

#### 3.7. Grievance Redressal

- 3.7.1. The TNOU shall appoint or nominate an officer, who is a staff/rehabilitation practitioner registered with the Rehabilitation Council of India (RCI), to redress the grievances of employees and students with disabilities of the University. The grievances received shall be redressed in a fortnight, from the receipt of the complaint, in a fair and confidential manner.
- 3.7.2. The aggrieved person with disability may appeal to the Registrar, TNOU if his/her grievance is not redressed by the TNOU within the stipulated period.





- 3.7.3. The Grievance Redressal Officer of the TNOU shall maintain a register of complaints of persons with disabilities with the following particulars, namely:
  - a) date of complaint;
  - b) name of complaint;
  - c) name of the person who is enquiring the complaint;
  - d) place of incident;
  - e) the name of establishment of person against whom the complaint is made;
  - f) gist of the complaint;
  - g) documentary evidence, if any;
  - h) date of disposal by the Grievance Redressal Officer;
  - i) details of appeal to the district/state level committee, if any;
  - j) details of disposal of appeal by the district/state level committee; and
  - k) any other information.

#### 4. Amendments

he revisions in this Equal Opportunity Policy for Persons with Disabilities shall be made from time to time, in accordance with relevant Acts and Rules of the State and Union Governments, with the approval of the Vice Chancellor of TNOU. These amendments shall be published for public view including in the TNOU website.

#### References

Evaluation and Certification of 21 Identified Disabilities (2018). Government of India Gazette No. 61, Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India.





- Extraordinary No. 145. (1.06.2012). Professional Tax exemption for the Differntly Abled Persons. Government of Tamil Nadu.
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- G.O. Ms. No.135. (20.09.2008). Full dissemination from the payment of education fees to Differently Abled Persons in State Government and State-Aid higher Education Institutions, Social Welfare and Nutritious Department, Government of Tamil Nadu.
- G.O. Ms. No.18. (04.02.2019). Framing of the Tamil Nadu Combined Development and Building Rules 2019 including Barrier free built environment for persons with disabilities and elder persons. Municipal Administration and Water Supply (MA.1) Department, Government of Tamil Nadu.
- G.O. Ms. No.21. (30.05.2017). 4% Reservation for PwDs in Public Services. Department of Welfare of Differently Abled Persons, Government of Tamil Nadu.
- G.O. Ms. No.30. (28.06.2010). Exemption from Special Fees for PwDs, Welfare of the Differently Abled Persons Department, Government of Tamil Nadu.
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- Gazette No.247. (26.07.2017). Reservation Roster for Persons with Bench Mark Disabilities in Government as per PWD Act 2016. Government of Tamil Nadu.
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- Rights of Persons with Disabilities (Amendment) Rules (2019). Government
  of India Gazette No. 184, Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India.
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- https://rehabcouncil.nic.in
- https://socialjustice.inc.in
- https://disabilityaffairs.gov.in
- https://scd.tn.gov.in





#### APPENDIX -I

Certificate regarding physical limitation	in an examinee to write			
This is to certify that, I have examined	Mr/Ms/Mrs			
(name of the candidate v	vith disability) a person with			
( nature and perc	entage of disability as mentioned in the			
certificate of disability), S/O/D/o	a resident of			
( Village /District / State	e) and to state that He / She has physical			
limitation which hampers his/ her writing capabilities owning	g to his/ her disability.			
Due to the above mentioned disability following concession may be given:-				
Exemption from tamil / second language.				
Extra hours for writing theory exam.     Allocation of a scribe.				
Allocation of a scribe.     Over looking spelling mistakes and grammatical errors.				
Using calculator / assistive devices.				
6(any other assistive devices or concessions).				
*strike out the non applicable.				
Signature				
(Chief Medical Officer/ Civil Surgeon/ Medical Superintendent/ signature of the				
notified medical authority of a Government health care institution)				
	Name & Designation			
Name of Government Hospital/ Health Care Centre/The notified medical authority				
Place:				
Date:				
	Contract Color Differentia			
Signature / Thumb impression	(Photo of the Differently Abled Person and Stamp			
of the Differently abled person	to be fixed here)			
	No. 1			





APPENDIX -II				
Letter of Undertaking for Using Own Scribe				
Ia candidate with (name of the				
disability) appearing for the (name of the examination) bearing Roll				
No at (name of the centre) in the District				
, [name of the State). My qualification is				
I do hereby state that(name of the scribe) will provide the service				
of scribe / reader/ lab assistant for the undersigned for taking the aforesaid examination.				
I do hereby undertake that his qualification is In case,				
subsequently it is found that his qualification is not as declared by the undersigned and is beyond my				
qualification, I shall forfeit my right to the post and claims relating thereto.				
(Signature of the candidate with Disability)				
Place:				









#### தமிழ்நாரு திறந்தநிலைப் பல்கலைக்கழகம் Tamil Nadu Open University

(மாநில திறந்தநிலைப் பல்கலைக்கழகம், தமிழ்நாடு அரசால் நிறுவப்பட்டது. பல்கலைக்கழக நிதிநல்கைக் குழு & தொலைநிலைக் கல்வி மன்றத்தின் அங்கீகாரம் பெற்றது.

ஆசிய திறந்தநிலைப் பல்கலைக்கழகங்களின் கூட்டமைப்பு & காமன்வெல்த் பல்கலைக்கழகங்களின் கூட்டமைப்பின் இணைவு பெற்றது. எண். 577, அண்ணாசாலை, சைதாப்பேட்டை, சென்னை – 600 015

