

No. DWC/C.No.7/Writer/Facility/
06-07/2951
Directorate, Welfare of Disabled,
Maharashtra State,
3 Church Road, Pune - 1.

Date : 20th December, 2006.

Circular/Important
Hon'ble Bombay High Court Case Priority

- Sub : Providing on demand to blind, partly blind orthopaedic students and students suffering from cerebral palsy, who are not competent to write, Writer for Examination and granting additional time.
- Ref : 1) Disabled Persons (Equal Opportunity, Protection of Rights and Full Participation) Act 1994.
- 2) Order passed by the Hon'ble Bombay High Court on 16th November 2006 in Petitions No.70/202 and 129/2003.
- 3) Letters in English No.27-OR/(3)/CCD/99 dated 14.5.2003 and No. 27-OR/(3)/CCD/99/6608 dated 2.8.2000 from the Chief Commissioner, Welfare of Disabled, Ministry of Social Justice and Empowerment, Government of India, New Delhi.
- 4) Circular No. DIS-2006/C.No.105/Reforms-3 dated 9th December 2006 issued by Social Justice and Special Assistance Department, Government of Maharashtra.

Pursuant to the orders passed by the Hon'ble Bombay High Court in Public Interest Petitions No.70/2002 and 129/2003 under provisions of Disabled Persons (Equal Opportunity, Protection of Rights and Full Participation) Act 1995, all Mantralaya Administrative Departments and Departments under the same have been ordered to urgently clear the backlog of disabled persons. In the said Court case, it is found that when blind, partly blind and orthopaedic persons and persons suffering from cerebral palsy when they have to appear for written examinations for the purpose of promotions. Therefore to avoid injustice being caused to such persons, all appointing authorities

are being advised that as per provisions of Chapters No.5 and 6 of Disabled Persons (Equal Opportunity, Protection of Rights and Full Participation) Act 1995, action as under be taken for making available writer to blind, partly blind and orthopaedic persons and persons suffering from cerebral palsy :-

Guidelines for providing writers to disabled candidates appearing for examination for appointment/ academic examinations :

1. Authority conducting written examination should provide writers to disabled candidates or if the candidate so desires, he may make his own arrangement for a writer.
2. Supervisor and Invigilator should supervise properly at the time of examination to ensure that there is no cheating or similar malpractices.
3. If a writer has been provided by authority conducting the examination by taking into consideration practical difficulties, that authority should verify and ascertain competence of the writer.
- 4) In advertisement for appointment, authority conducting examination should make a clear mention about making available writer.
- 5) Candidate should make a clear mention in his application whether he wants to have a Writer from the concerned machinery organising the examination or he is going to make arrangement for a writer himself.
- 6) Machinery conducting examinations should select writers as per requirements and a panel of writers should be formed at the District/Regional or State level.

- 7) Panel of writers should be formed as per requirements stream-wise, e.g. Arts, Commerce, Science, Mathematics, Engineering, Medical etc. and only competent and eligible writers be included in the panel.
- 8) As far as possible the examinee and writer should be of the same stream.
- 9) If the candidate has brought his own writer and if the candidate and writer are of the same stream, educational qualifications of writer should be one step below that of the candidate. However, this condition will not be applicable if they are of different streams.
- 10) Apart from the above, any other restriction should not be imposed on selection of a writer.
- 11) In exceptional cases, if the writer is changed at the last minute before commencement of examination, Chief Invigilator shall have the authority to approve the change.
- 12) More than one writers cannot be used for papers of different subjects. However, in exceptional writer can be allowed to be changed as mentioned in (11) above.
- 13) Following information/particulars should be mentioned in the letter approving writer.
 - 1) Time to be given to the candidate for examination.
 - 2) Separate sitting arrangement made for the writer.

3) That date of examination, subject and name of the writer will be mentioned on each paper.

4) If it is essential in exceptional cases to change the writer, address and telephone number of the competent authority for the purpose.

14) If the Writer wants to have refreshment, he should have the same either before or after the examination.

15) Full information about time for examination should be given to candidate and writer.

16) Additional Time :

1) If the written examination is for period of 1 hour, minimum 20 minutes additional time should be given.

2) Similarly if period of the examination is of more than one hour, additional time of 20 minutes should be given for each hour.

17) To avoid candidate's confusion and doubt at the time of examination, necessary sitting arrangement should be made prior to commencement of examination.

18) As far as possible, sitting arrangement for disabled persons should be made on the ground floor.

19) If there are visuals in the question paper and if the candidate is required to interpret such visuals or make a presentation on such visuals, alternative questions be provided instead of such questions. However, candidate will have the liberty to answer original question instead of alternative one.

20) Blind candidates will have liberty to use brail or computer or typewriter for writing answer papers. Evaluation of answer paper in brail script should got done by an expert/examiner knowing brail script. If possible question paper be provided in brail script or digital text.

29) SSC/HSC Examination Board, all Universities, all Educational Institutions and appointing authorities should follow the above instructions.

Concerned persons should peruse the above circular and properly implement the same immediately and particulars of the facilities provided to the said students be conveyed to the University from time to time.

Sd/-

Commissioner, Welfare of Disabled,
Maharashtra State, Pune.