



महाराष्ट्र शासन
सहसंचालक, तंत्रशिक्षण विभागीय कार्यालय, अमरावती
शासकीय तंत्रनिकेतन परिसर, गाडगे नगर, अमरावती

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जा.क्रमांक:- विकाअ/शिक्षण/२०२१/ 1095

दिनांक :- 25/04/2022

प्रति,

प्राचार्य,

सर्व अभियांत्रिकी/औषधनिर्माणशास्त्र/वास्तुशास्त्र पदवी व पदव्युत्तर पदवी संस्था,
तसेच एम.बी.ए./एम.सी.ए. पदव्युत्तर पदवी संस्था, अमरावती विभाग, अमरावती.

विषय :- दिव्यांग विद्यार्थ्यांसाठी आवश्यक सोयी सुविधा उपलब्ध करून देणेबाबत.

संदर्भ :- मा.संचालक, तंत्रशिक्षण संचालनालय, म.रा. मुंबई यांचे पत्र क्र. २अ/एडीएम/२०२२/१४३
दिनांक २२/०४/२०२२

उपरोक्त विषयाबाबत आपणास कळविण्यात येते की, मा.संचालक, तंत्रशिक्षण संचालनालय, म.रा. मुंबई यांचे संदर्भ क्र. १ अन्वये आपल्या संस्थेमध्ये दिव्यांग विद्यार्थ्यांसाठी आवश्यक सोयी सुविधा उपलब्ध करून देणेबाबत कळविलेले असल्याबाबतचे पत्रा या कार्यालयास प्राप्त झालेले आहे.

तेव्हा आपणास कळविण्यात येते की, आपल्या संस्थेमध्ये दिव्यांग विद्यार्थ्यांसाठी रॅम्प, व्हील चेअर, सहजपणे जाऊ शकतील अशी स्वच्छतागृहे, दृक्श्राव्य चिन्हे नमूद केलेले उदवाहन, दिव्यांगांसाठी दिशादर्शक असलेले मार्ग असणे आवश्यक आहे, तसेच अखिल भारतीय तंत्र शिक्षण परिषद, नवी दिल्ली यांनी २०२२-२३ साठी प्रसिध्द केलेल्या Approval Process Handbook मध्ये कलम ५.२.५ (a) मध्ये तांत्रिक व्यावसायिक अभ्यासक्रमांच्या संस्थांमध्ये दिव्यांग विद्यार्थी, विद्यार्थीनीसाठी आवश्यक असलेल्या पायाभूत सुविधांची माहिती नमूद केलेली आहे. तसेच यापुर्वीच्या वेळोवेळी प्रसिध्द झालेल्या Approval Process Handbook मध्येही याबाबत तरतूद केलेली आहे. सुलभ संदर्भाकरीता मा.संचालक, तंत्रशिक्षण संचालनालय, म.रा. मुंबई यांच्या पत्राची प्रत सोबत जोडलेली असून त्यानुसार आवश्यक कार्यवाही करावी.

सहपत्रे :- वरील प्रमाणे.

प्र.सहसंचालक तंत्रशिक्षण,
अमरावती.

प्रत :- प्रोग्रामर, तंत्रशिक्षण विभागीय कार्यालय, अमरावती यांना संकेतस्थळावर प्रदर्शित करण्यासाठी .



महाराष्ट्र शासन



तंत्रशिक्षण संचालनालय, महाराष्ट्र राज्य

३, महापालिका मार्ग, पत्र पेटी क्र.१९६७, मुंबई ४०० ००९.

दूरध्वनी क्र. ०२२-६८५९७४५०

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क्रमांक: २अ/एडीएम/ २०२२/१४३

दिनांक 22 APR 2022

प्रति,
सहसंचालक,
तंत्रशिक्षण विभागीय कार्यालय
मुंबई, पुणे, नाशिक, औरंगाबाद, अमरावती, नागपुर

विषय :- दिव्यांग विद्यार्थ्यांसाठी आवश्यक सोयी सुविधा उपलब्ध करून देणेबाबत...

वरील विषयाबाबत कळविण्यात येते की, तांत्रिक अभ्यासक्रमाच्या संस्थांमध्ये दिव्यांग विद्यार्थ्यांसाठी रॅम्प, व्हील चेअर सहजपणे जाऊ शकतील अशी स्वच्छतागृहे, टकश्राव्य चिन्हे नमूद केलेले उदवाहन, दिव्यांगांसाठी दिशादर्शक असलेले मार्ग असणे आवश्यक आहे. अखिल भारतीय तंत्रशिक्षण परिषद, नवी दिल्ली यांनी २०२२-२३ साठी प्रसिध्द केलेल्या Approval Process Handbook मध्ये कलम ५.२.५ (a) मध्ये तांत्रिक व्यावसायिक अभ्यासक्रमांच्या संस्थांमध्ये दिव्यांग विद्यार्थी, विद्यार्थिनींसाठी आवश्यक असलेल्या पायाभूत सुविधांची माहिती नमूद केलेली आहे. तसेच यापूर्वीच्या वेळोवेळी प्रसिध्द झालेल्या Approval Process Handbook मध्येही याबाबत तरतूद केलेली आहे. (सुलभ संदर्भासाठी APH २०२२-२३ मधील संबंधित तरतूद नमूद केलेल्या पानाची प्रत जोडली आहे)

मा.उच्च न्यायालय, मुंबई यांनी रिट याचिका क्रमांक ६५९४/२०१४ आकांक्षा वर्धमान काळे विरुद्ध केंद्र शासन या प्रकरणांत दिव्यांग व्यक्तींसाठी आवश्यक पायाभूत सुविधा असणे आवश्यक आहेत असे आदेश निर्गमित केले आहेत. (सोबत प्रत जोडली आहे)

वरील प्रमाणे दिव्यांग व्यक्तींसाठी सर्व आवश्यक पायाभूत सुविधांची उपलब्धता आपल्या अधिनस्त असलेल्या सर्व तांत्रिक व्यावसायिक अभ्यासक्रमांच्या संस्थांमध्ये अनिवार्य असल्याबाबत व त्यानुसार कार्यवाही करण्याबाबत सर्व संस्थांना त्वरीत कळविण्यात यावे.

(डॉ. अभय कोंघ)

संचालक, तंत्रशिक्षण, महाराष्ट्र राज्य, मुंबई

प्रत : कार्यासन क्रमांक २ व १० मुख्य कार्यालय, मुंबई यांना माहितीसाठी

5.2.5 Infrastructure Requirements

The Institution shall have necessary infrastructure and support system for offering the Courses in Open and Distance Learning Mode and / or Online Mode.

Minimum Infrastructure Requirements for ODL/Online (For both Institution Headquarters and Learner Support Centre)				
Sl. No.	Type of Built-up Area	Percentage (%)	Headquarters in Sq m	Learner Support Centre [#] in Sq m
1	Academic Area	50	696.8	66
2	Administrative Area	10	139.4	13.2
3	Academic support such as Library, Reading Room, Computer Centre, Informational and Communication Technology Laboratories, Video and Audio Laboratories, etc.	30	418.0	39.6
4	Amenities or other support facilities Area	10	139.4	13.2
5	Minimum Built-up area for Open and Distance Learning activity		1393.6	132

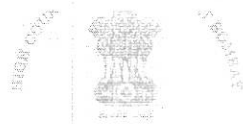
There is NO requirement for Learner Support Center to run Online Mode.

- The Institution shall use additional Laboratory facilities of the parent Institution or any other AICTE approved Institution offering similar Course/ Programme.
- Each Learner Support Centre shall have a minimum Built-up area of 132 Sq m on the basis that it shall have at least one Class room for the interaction with the Learners.
- Minimum Internet Speed required at Headquarters/ Learner Support Centre is 100 Mbps.
- a. The Institution should provide appropriate facilities to take care of the physically challenged students and elderly persons comprising of Teaching/ Non-Teaching/ Others including parents of the students visiting the Institution. Barrier Free Built Environment for disabled/ elderly persons shall be available in the Buildings, including the availability of specially designed toilets for Ladies and Gents. Refer Design Manual for a Barrier Free Environment available in AICTE Web-Portal www.aicte-india.org.

Every Building should have at least one entrance accessible to the physically challenged and shall be indicated with a proper signage. The entrance shall be approached through a ramp together with the stepped entry. Refer guidelines and space standards for Barrier Free Built Environment for disabled and elderly persons by CPWD, Ministry of Urban Development, and Government of India. (Refer Handbook on Barrier free and Accessibility <http://cpwd.gov.in>).

All teaching-learning facilities for physically challenged Learners shall be provided in the Ground Floor itself. Unisex toilets with all facilities shall be provided in each floor or at least in the Ground Floor at Headquarters as well as Learner Support Centres as specified by the National Building Code.

- b. Safety and security measures at all the Learner Support Centres and Headquarters to safeguard Students, Staff and the general Campus community from the threat of violence, and to provide appropriate interventions to support individuals in crisis shall be ensured.
- c. The minimum requirement for Built-up Area shall be fulfilled as specified in the Approval Process Handbook as amended from time to time



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6594 OF 2014

Akanksha Vardhaman Kale .. Petitioner
V/s
Union of India & Ors. .. Respondents

Mr. Saket More i/b Mr. Satyavrat Joshi for the petitioner.
Mr. S.B. Shetye for respondent nos.1 and 2.
Mr. Kapil Moye with Mr. Shreyas Patel and Mr. Meit Sampat i/b Little
& Co. for respondent no.8.
Mr. Vishal Thadani, A.G.P. for the respondent – State.

**CORAM: MOHIT S. SHAH, C.J. &
B.P. COLABAWALLA, J.**

DATE : 30 OCTOBER 2014

P.C.:

Learned counsel for respondent no.8 invites our attention to the statements made in the affidavit dated 21 October 2014 filed by Mr. T. Karthikeyan , Secretary of respondent no.8, and particularly the statement that the order dated 29 September 2014 of this Court has already been communicated to all the offices and branches in all the five regions of the country and they have been asked to provide the necessary barrier free facilities for persons with disabilities, viz. ramp facility, lift, washroom facilities to accommodate wheel chairs, etc. It is of course stated that the same shall be subject to necessary

permissions from municipal and concerned authorities and feasibility depending on the plan/layout approved by the architect.

2. As far as the petitioner's case is concerned, learned counsel for respondent no.8 has placed on record a copy of the letter dated 10 October 2014 from the Principal, Brihan Maharashtra College of Commerce, Pune to the effect that the said college is ready to extend necessary cooperation for permitting the petitioner to appear at the examination at the said college between 7 and 20 November 2014. The principal has, however, stated that the college is going for third cycle of re-accreditation, NAAC and for that purpose repairing and renovation work is scheduled during that period.

3. While we appreciate that Brihan Maharashtra College of Commerce, Pune is going ahead with the repairing and renovation work in the college, we request the college authorities to see that the petitioner is provided noise free and barrier free environment during the examination on seven days on which the petitioner will be appearing.

4. Our attention is invited to the circular letter dated 11 July 2001 issued by the University Grants commission to the Vice Chancellor of all Universities, which reads as under:

Abs

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"Dr. (Mrs.) Pankaj Mittal
Joint Secretary

D.O. No.11-5/95(CPP-II)(Vol.III)

11 July 2001

Dear Sir/Madam,

The Commission in its meeting held on 22-5-2001 considered the matter regarding full implementation of persons with Disabilities Act, 1995 in universities and colleges and approved 3% reservation for persons with disabilities in admission to all the courses of study offered by universities and colleges and 3% reservation for disabled people in jobs and also decided that barrier free access for persons with disabilities to the university, buildings, class rooms, laboratories and toilets, etc. be ensured. You are requested to implement the above decision of the Commission strictly."

5. Similarly, on 8 December 2012, the Government of India in the Ministry of Human Resource Development, Department of Higher Education issued instructions to make educational institutions (the buildings of University, colleges and technical institutes, etc.) barrier free and accessible for all types of disabilities.

6. The University Grants Commission also issued the circular dated 9 February 2012 to the Universities to take follow up action to make educational institutions barrier free and accessible for all types of disabilities.

7. Again on 25 May 2012, the Chief Commissioner for Persons with Disabilities issued instructions to Government of Maharashtra in the Technical and Higher Education Department and

Abs

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pointed out sections 30(b), 46 and 59 of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, which read as under:

“Section 30(b) of the Act specifically provides that appropriate Governments shall prepare a comprehensive education scheme which shall inter-alia make provision for the removal of architectural barriers from schools, colleges or other institutions imparting vocational and professional training.

Section 46 of the Act also requires that the appropriate Governments and the local authorities shall, within the limits of their economic capacity and development, provide for -

- (a) ramps in public buildings;*
- (b) adaptation of toilets for wheel chair users;*
- (c) braille symbols and auditory signals in elevators or lifts;*
- (d) ramps in hospitals, primary health centres and other medical care and rehabilitation institutions.*

Section 59 of the Act mandates the Chief Commissioner for Persons with Disabilities on his own motion or on application of any aggrieved person or otherwise to look into the complaints inter-alia with respect to matters relating to deprivation of rights of persons with disabilities.”

8. In view of the above, we direct respondent no.6 - University of Pune to issue general instructions to all the colleges/ educational institutions, examination centres and concerned



departments to provide barrier free environment for students with disabilities, viz. ramp facility, lift, washroom facilities to accommodate wheel chairs, etc. Similarly, the Chief Commissioner for Persons with Disabilities at New Delhi and the Commissioner for Persons with Disabilities for Maharashtra State at Pune will also issue general instructions to all the educational authorities in the country calling upon them to provide barrier free environment to students with disabilities.

9. The compliance report regarding issuance of specific instructions to educational institutions/colleges to provide the aforesaid facilities by 31 March 2015 shall be submitted by 15 December 2014.

Stand over to 22 December 2014.

CHIEF JUSTICE

(B.P. COLABAWALLA, J.)