

ITEM NO.2

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 116/1998

JUSTICE SUNANDA BHANDARE FOUNDATION

Petitioner(s)

VERSUS

U.O.I. & ORS.

Respondent(s)

(ONLY INTERLOCUTORY APPLICATIONS ARE TO BE LISTED
IA No. 134118/2018 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 14/2017 - DIRECTIONS
IA No. 13/2015 - DIRECTIONS
IA No. 10/2015 - DIRECTIONS
IA No. 11/2015 - EXEMPTION FROM FILING O.T.
IA No. 93954/2018 - EXEMPTION FROM FILING O.T.)

WITH

C.A. No. 11938/2016 (XIV-A)

(ONLY OFFICE FOR DIRECTION IS TO BE LISTED BEFORE HON'BLE COURT
IA No. 130117/2018 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 06-03-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MS. JUSTICE INDIRA BANERJEE

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Ms. Sushma Suri, AOR

Mr. D.S. Mahra, AOR

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UPON hearing the counsel the Court made the following
O R D E R

Writ Petition(s)(Civil) No(s). 116/1998

The following States/Union Territories have either partially complied or non-complied the provisions of the Rights of Persons with Disabilities Act, 2016:-

Sr	States/UT	Provisions of the RPWD ACT 2016 - <u>Partially Complied (PC)</u>	Provisions of the RPWD ACT 2016 - <u>Not Complied (NC)</u>
1.	<u>Andaman and Nicobar Islands</u>		
2	<u>Andhra Pradesh</u>		Sections 23, 26, 32, 35-38, 66, 72, 79, 83, 88, 101
3	<u>Arunachal Pradesh</u>		Sections 3-23, 26-31, 32-

Sr	States/UT	Provisions of the RPWD ACT 2016 - <u>Partially Complied (PC)</u>	Provisions of the RPWD ACT 2016 - <u>Not Complied (NC)</u>
			35, 36-48, 57, 59, 66, 70, 72, 79, 83 84, 85, 88
4	<u>Assam</u>	Sections 13, 14, 21, 22, 35, 38	
5	<u>Bihar</u>		
6	<u>Chandigarh</u>	Sections 21, 26, 35, 37	
7	<u>Chhattisgarh</u>	Sections 21, 37, 101	
8	<u>Dadra and Nagar Haveli</u>	Sections 79 , 83	Sections 8, 11, 14, 21, 22, 23, 32, 33, 34, 35, 37, 38, 40, 43, 44, 46, 47, 48, 49, 50-55, 59, 66, 70, 72, 84, 85, 88, 89, 91, 101
9	<u>Daman and Diu</u>	Sections 41, 42, 79, 83	Sections 14, 21, 22, 23, 33-35, 37, 38, 40, 43, 44, 46-55, 59, 66, 70, 72, 84, 85, 88, 89, 91, 101
10	<u>National Capital Territory of Delhi</u>	Sections 6, 28, 38, 66, 88	
11	<u>Goa</u>	Sections 14, 15, 18, 23, 30, 37, 53, 72, 79, 83, 85	Sections 12, 17, 38, 88
12	<u>Gujarat</u>	Sections 33, 37	Sections 3-11, 13-15, 18, 19, 26, 34, 38, 39, 43, 48, 101
13	<u>Haryana</u>	Section 18, 33, 36-37, 88	Sections 32, 35, 38, 59, 70
14	<u>Himachal Pradesh</u>		Sections 9, 10, 14, 15, 18, 42, 43, 57, 59, 84, 85, 101
15	<u>Jammu and Kashmir</u>	Shown compliance of their local act in the capacity as a State. Now being a UT compliance of The RPWD Act 2016 needs to be shown	
16	<u>Jharkhand</u>	Sections 26, 35, 37, 48, 50-55	Sections 21, 34, 85
17	<u>Karnataka</u>	Sections 15, 20, 32	Sections 23, 72, 84, 85, 88, 101
18	<u>Kerala</u>	Sections 21, 28, 37, 50-55, 59	Sections 49, 72, 88, 101
19	<u>Lakshadweep</u>		
20	<u>Ladakh</u>	Now being a UT compliance of 2016 Act needs to be shown	
21	<u>Madhya Pradesh</u>	Sections 3-14, 18-32, 34, 37, 39-42, 45-49, 50-55	
22	<u>Maharashtra</u>		Sections 35, 88, 101

Sr	States/UT	Provisions of the RPWD ACT 2016 - <u>Partially Complied (PC)</u>	Provisions of the RPWD ACT 2016 - <u>Not Complied (NC)</u>
23	<u>Manipur</u>	Sections 6, 7, 23, 37	Sections 14-15, 21, 27-29, 32-34, 38, 84, 85, 101
24	<u>Meghalaya</u>	Sections 17, 21, 30, 37	Sections 3, 4, 5, 7, 9, 11, 15, 18, 26, 28, 35, 38, 48, 88
25	<u>Mizoram</u>		Sections 3-5, 7-10, 12, 13, 15, 18, 20, 21, 26, 28, 29, 32, 34, 35, 38, 39, 42-44, 48, 88
26	<u>Nagaland</u>	Section 3, 22, 23, 35, 37, 88	
27	<u>Odisha</u>		
28	<u>Puducherry</u>	Sections 20-21, 43, 66, 70, 72, 79, 83	
29	<u>Punjab</u>	Section 79	Section 83
30	<u>Rajasthan</u>	Sections 79, 83, 88	Sections 21, 70
31	<u>Sikkim</u>	Sections 23	Sections 3, 4, 5, 9, 10, 13-15, 20-22, 26-30, 32, 33, 35, 37, 38, 43, 46, 47, 48, 49, 50-55, 59, 72, 79, 83, 84, 85
32	<u>Tamil Nadu</u>	Section 46	
33	<u>Telangana</u>	Sections 37	Sections 9-10, 12-13, 15, 29, 32, 43, 66, 70, 72, 85, 88
34	<u>Tripura</u>	Sections 21, 23, 34, 35, 79, 83, 88	
35	<u>Uttar Pradesh</u>	Sections 23, 25	
36	<u>Uttarakhand</u>		
37	<u>West Bengal</u>	Sections 37, 38, 42, 88	Sections 35, 36, 53, 57, 59, 84, 85

The concerned non-compliant States/Union Territories are directed to file their affidavit of compliance with a period of six weeks from today, failing which the Secretary of the concerned department shall remain present in this Court on the next date of hearing.

List on 04.05.2020.

The following States have not filed their compliance affidavit:-

1. Arunachal Pradesh
2. Andhra Pradesh
3. Madhya Pradesh
4. Uttar Pradesh
5. Goa

Let compliance affidavit be filed by the above mentioned States within a period of six weeks from today.

List on 04.05.2020.

(NARENDRA PRASAD)
A.R-CUM-P.S.

(JAGDISH CHANDER)
COURT MASTER