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## **Quarterly Programmatic Report**

Creating a National Resource Kit of Laws, Policies  
and Programs for Persons with Disabilities

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**15<sup>th</sup> February 2013**  
to  
**15<sup>th</sup> May 2013**

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## Highlights

- Draft chapters covering four northern states of Uttar Pradesh, Rajasthan, Himachal Pradesh and Jammu & Kashmir were published for comments and feedback.
- Draft chapters covering two eastern states of West Bengal and Meghalaya have been published for comments and feedback.
- Draft chapter covering the western state of Goa has been published for comments and feedback.
- Draft chapter covering the union territory of Lakshadweep has been published for comments and feedback.
- Draft chapter for the state of Jharkhand has been compiled and is awaiting publication
- Scanned and accessible versions of the notifications issued by the states of Haryana and West Bengal, and the union territory of Lakshadweep have been published for easy reference.
- In November last year, CIS had sent right to information (RTI) applications seeking information on laws, policies, programmes, schemes and other initiatives for persons with disabilities. We followed up on this with the Commissioners of Disability and Public Information Officers through emails and letters in December and continued the follow ups for non responsive states through direct calls in the months of February, March, April and May.
- In addition to the responses from ten states and two union territories received earlier, CIS received responses from one state and one union territory.
- CIS established communication with leading non-governmental organizations in the states of Madhya Pradesh, Maharashtra, West Bengal, Delhi and Pondicherry.
- CIS enlisted help from volunteers for translation of notifications in the local languages of states. Volunteers are attempting translation of notifications in Marathi into English.

## **Creating a National Resource Kit of Laws, Policies and Programs for Person with Disabilities**

### **Summary**

The report covers activities from mid-February of 2013 to mid-May of 2013. CIS continued to source and gather information on the national disability laws, policies and programmes from various state departments and non-governmental organisations. Information thus collated has resulted in draft chapters for nine states and union territories (West Bengal, Uttar Pradesh, Meghalaya, Rajasthan, Goa, Himachal Pradesh, Jammu & Kashmir, Jharkhand and Lakshadweep). All chapters with the exception of the chapter on Jharkhand were published for feedback and comments.

### **Government Communication**

CIS followed up on the RTI applications sent earlier. Ten states (Himachal Pradesh, Haryana, Kerala, Punjab, Gujarat, Andhra Pradesh, Uttarakhand, Delhi, Chattisgarh and Odisha) and two union territories (Lakshadweep and Daman & Diu) had responded by mid-February 2013. Whereas Himachal Pradesh, Haryana, Kerala, Lakshadweep and Daman & Diu had shared copies of the notifications in English, Punjab and Gujarat had sent their responses in the state languages, Andhra Pradesh had requested us to look through their website. Uttarakhand, Delhi, Chattisgarh and Odisha had redirected the applications.

Between February 2013 and May 2013, the states of Odisha, Jammu & Kashmir and Uttarakhand responded with copies of the notifications issued by them. Whereas Odisha and Jammu & Kashmir have shared their notifications in English, Uttarakhand has shared its notifications in Hindi.

Other developments:

- The states of Maharashtra, Goa, Bihar and Jharkhand are yet to respond to the RTI applications. Appeals have been sent to the appellate authorities in these states. They have also been reached directly in this regard.
- Established communications/relations with leading non-governmental organisations such as National Association of the Blind, Human Rights Law Network, Xavier Resource Centre for the Visually Challenged and Blind Graduates Forum of India in Maharashtra; Sruti Disability Rights Centre in West Bengal; Arushi in Madhya Pradesh; Score Foundation in Delhi and the National Federation of the Blind in Pondicherry.
- Established communications with the Samarthanam Trust for the Disabled from Bangalore and a network of volunteers from Bangalore to solicit their aid in translation of notifications in the languages of Hindi, Marathi, Punjabi and Gujarati into English.

### **Highlights of West Bengal Chapter**

The state of West Bengal has issued the West Bengal Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 1999 to implement the provisions under the central Persons with Disabilities (Protection of Rights, Equal

Opportunities and Full Participation) Act 1995. The Department of Women and Child Development and Social Welfare is primarily responsible for the welfare of persons with disabilities in the state. The government of West Bengal has issued six notifications in education, ten notifications in employment and training, ten notifications in health and rehabilitation, ten notifications in social protection and two notifications in transport for persons with disabilities. The chapter was published on the CIS website for comments.<sup>1</sup> Excerpts from the chapter are given as Annexure A on page 7.

### **Highlights of Uttar Pradesh Chapter**

The 2001 Indian Census Report states that there are 3.6 million persons living with disabilities in the State of Uttar Pradesh. The welfare needs of persons with disabilities in Uttar Pradesh are primarily taken care of by the Disabled Welfare Department of Uttar Pradesh, along with the Office of the Commissioner for Persons with Disabilities. The Department of Disabled Welfare was established on 20.09.1995 in response to the need for a specialized Government department that would cater to the needs of persons living with disabilities in Uttar Pradesh, particularly those persons who hailed from the economically weaker sections of society. The Office of the Commissioner for Persons with Disabilities was set up under Section 60 of the Persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995 vide GO. No. 945/65-2-98-129/98 dated 18.09.1998 of the Uttar Pradesh Disabled Welfare Department, and has been mandated to take steps to safeguard the rights of persons with disabilities. The State of Uttar Pradesh has taken several measures by way of schemes, programmes, government orders and notifications for the benefit of persons living with disabilities. The chapter was published on the CIS website for comments.<sup>2</sup> Excerpts from the chapter are given as Annexure B on page 9.

### **Highlights of Meghalaya Chapter**

Meghalaya is one of the few north-eastern states that has appointed a Commissioner for Disabilities. Most of the schemes and benefits given to persons with disabilities in Meghalaya are under centrally sponsored schemes and there are very few schemes initiated by the State government. Most of these schemes are in the area of education and health and rehabilitation, and unfortunately one of the biggest lapses is that the State Government has not yet identified jobs for persons with disabilities in the government sector and not provided for the mandatory 3% reservation of jobs in the public sector for persons with disabilities. The chapter was published on the CIS website for comments.<sup>3</sup> Excerpts from the chapter are given as Annexure C on page 12.

### **Highlights of Lakshadweep Chapter**

The union territory of Lakshadweep has not passed any legislation for persons with disabilities, but implements the provisions under the central laws. The benefits currently available to persons with disabilities in Lakshadweep include disability pension,

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1. The chapter on West Bengal can be located at <http://cis-india.org/accessibility/blog/the-west-bengal-chapter>
  2. The chapter on Uttar Pradesh can be located at <http://cis-india.org/accessibility/blog/national-resource-uttar-pradesh-chapter-call-for-comments>
  3. The chapter on Meghalaya can be found at <http://cis-india.org/accessibility/blog/national-resource-kit-the-meghalaya-chapter-call-for-comments>

unemployment allowance and grant for setting up kiosks. The administration has issued guidelines for special jobs and identity cards for persons with disabilities, four notifications in health and rehabilitation and one notification in social protection. The chapter was published on the CIS website for comments.<sup>4</sup> Excerpts from the chapter are given as Annexure D on page 14.

### **Highlights of Goa Chapter**

Goa has framed the Goa Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 1997 and has formulated the state policy and plan of action for Differently Abled persons to implement the provisions under the three central laws. The state policy makes provisions for barrier free access. The state has issued three notifications for education, four notifications for employment and one notification each for health and rehabilitation, social protection and transport. The chapter was published on the CIS website for comments.<sup>5</sup> Excerpts from the chapter are given as Annexure E on page 17.

### **Highlights of Himachal Pradesh Chapter**

Himachal Pradesh has issued a state policy for persons with disabilities to implement the provisions in the central laws. The government has brought out an integrated scheme for persons with disabilities in 2008 to implement certain sections of the Persons with Disabilities Act 1995. Through this scheme the government has made provisions for education, employment, training, health, rehabilitation and social protection for persons with disabilities. The chapter has been published on the website for comments.<sup>6</sup> Excerpts from the chapter are given as Annexure F on page 18.

### **Highlights of Jammu & Kashmir Chapter**

The state of Jammu & Kashmir has enacted the Jammu & Kashmir Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1998. Further, the government of Jammu & Kashmir has issued the Jammu & Kashmir Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 2003. The state has issued two notifications for providing reservation in government posts for persons with disabilities and identifying suitable posts for them. The state provides grant in aid for persons with disabilities for purchase and fitting of aids and appliances. The chapter has been published on the website for comments.<sup>7</sup> Excerpts from the chapter are given as Annexure G on page 20.

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4. The chapter on Lakshadweep can be located at <http://cis-india.org/accessibility/blog/national-resource-lakshadweep-chapter-call-for-comments>

5. The chapter on Goa can be found at <http://cis-india.org/accessibility/blog/national-resource-kit-go-a-call-for-comments>

6. The chapter on Himachal Pradesh can be located at <http://cis-india.org/accessibility/blog/national-resource-kit-himachal-pradesh-call-for-comments>

7. The chapter on Jammu & Kashmir can be located at <http://cis-india.org/accessibility/blog/national-resource-kit-jammu-kashmir-call-for-comments>

### **Highlights of Rajasthan Chapter**

The 2001 Census revealed that in Rajasthan 2.5 per cent of the population consisted of disabled persons. During the same year, the Rajasthan Government conducted a door to door survey in order to categorize the disabilities according to the seven categories listed in the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. Among the disabled, the highest number of 53.4 % was persons with visual impairment. Rajasthan also has 6.45% of the total disabled population in India, the sixth largest in the country. The chapter has been published on the website for comments.<sup>8</sup> Excerpts from the chapter are given as Annexure H on page 21.

### **Highlights of Jharkhand Chapter**

According to the 2001 Census, the number of persons with disability in Jharkhand amounted to about 4,48,377 which is roughly 3% of the total population of Jharkhand. The largest section of the disabled population in Jharkhand is visually impaired, constituting about 41.53%. Statistics indicate that Jharkhand houses approximately 2.04% of the total disabled population of the country. The chapter is of yet to be published on the website for comments. Excerpts from the chapter are given as Annexure I on page 23.

### **Challenges**

The challenges identified in the last report – unresponsiveness of state governments and NGOs, and unavailability of information in English and online – continue to task the researchers.

### **Annexure A - Excerpts from West Bengal**

The state of West Bengal has issued the West Bengal Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 1999<sup>9</sup> (WBPWD Rules) for the welfare of persons with disabilities. The state also implements the provisions under the central Persons with Disabilities (Protection of Rights, Equal Opportunities and Full Participation) Act 1995 (Persons with Disabilities Act) and The National Trust for the Welfare for Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act 1999 (National Trust Act).

Persons with Disabilities who have a minimum of 40 per cent disability are eligible for the benefits and schemes offered by the government. The various provisions by the state of West Bengal for the persons with disabilities are listed categorically as under:

### **Accessibility**

The government provides that the persons with disabilities are entitled to a barrier free environment: in transport – by arranging easy access, by adapting toilets in transports in such a way as to enable wheel chair users to use them conveniently, on the road by installation of auditory signs on the side of red lights, by causing kerb cuts and slopes for

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8. The chapter on Rajasthan can be located at <http://cis-india.org/accessibility/blog/national-resource-kit-rajasthan-call-for-comments>

9. <http://www.bardhaman.gov.in/disabled/Rule.htm>

wheel chair users, by engraving on the surface of the zebra crossing and by installing warning signals at appropriate places; and in buildings – with construction of ramps with rails; in environment – by adaptation of toilets for wheel chair users and by installation of Braille signage and auditory signals (beep), elevator or lifts.

### **Education**

The state of West Bengal provides three per cent reservation for persons with disabilities in all new admissions in all the government and government aided educational institutions.<sup>10</sup> The government has implemented the single language option in schools for persons with hearing impaired.<sup>11</sup>

### **Employment and Training**

Based on the provisions in the Persons with Disabilities Act, the government provides three per cent reservations in all posts for persons with disabilities.<sup>12</sup> Each reserved vacancy for persons with disabilities in each block of 33 roster points is filled with persons having the disabilities: I. Visual impairment or low vision; II. Hearing impairment; III. Locomotor disability or cerebral palsy.

### **Health and Rehabilitation**

IN pursuance of Rule 6 of WBPWD Rules, the government permits the following persons to issue identity cards to persons with disabilities on the basis of certificates issued by authorised medical boards: In Kolkata – Commissioner (Disabilities) or any person authorised by him or her; In the districts – the District Social Welfare Officer and the Child Development Project Officer within their respective jurisdictions.<sup>13</sup>

The government has directed that the Child Development Project Officers in the Belliaghata ICDS Project and the Red Light ICDS Project will issue identity cards to persons with disabilities for their area at the Bidhannagar State General Hospital.<sup>14</sup>

### **Social Protection**

The government provides a disability pension of Rs. 750 per month to persons with disabilities in the state.<sup>15</sup>

### **Transport**

The government provides free transport to persons with disabilities with more than 40 per cent disability on all state corporation buses and trams. Persons with disabilities should get

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10. Department of School Education, Primary Branch No. 846 SE (Pri) Dated: 12<sup>th</sup> Aug 1999

11. School Education Department, Primary Branch No. 369 (3) SE (Pri) /IEDC-18 / 09 Dated: 9<sup>th</sup> June 2010

12. Labour Department, Employment Cell No. 344 (100) – EMP/ IN – 43 / 94 Dated: Kolkata, 16<sup>th</sup> April 1999

13. Department of Women and Child Development and Social Welfare NO.2101-SW, dated: 08th July 1999

14. Department of Social Welfare Memo No. 908/ CON 08 / 07 / 2009 Dated: Kolkata the 24<sup>th</sup> July 2009

15. Department of Women and Child Development and Social welfare No. 830 SW / o/ IB 09 / 0 – 1 Dated: Kolkata 13<sup>th</sup> March 2009



an identity card for this purpose from their District Social Welfare Officers or Child Development Project Officers of ICDs and from the Commissioner (Disabilities) in case of persons with disabilities from Kolkata Municipal Corporation. Identity cards are valid for a period of ten years after which they have to be renewed.

### **Annexure B – Excerpts from Uttar Pradesh**

The State of Uttar Pradesh has taken several measures by way of schemes, programmes, government orders and notifications for the benefit of persons living with disabilities. The State Government has established shelter homes and vocational training centres in several parts of the states – most recently in Meerut, Bareilly and Gorakhpur.<sup>16</sup>

#### **I. ACCESS**

Below is a list of all the Notifications, Schemes and Government Orders issued by the State of Uttar Pradesh enabling access to the physical environment through live assistance, architecture, readers, scribes, sign language interpreters, and free transportation and a summary of these schemes.

<b>Sl. No.</b>	<b>Description</b>	<b>Issuing Authority</b>	<b>Date Issued</b>
1.	No.438/65-2-98-185-97: Rules for free travel by Bus for persons with Disabilities	Disabled Welfare Department	25.06.1998
2.	No. 65-3-2012-8/2003: Making public buildings and spaces barrier free to enable easy access for persons with disabilities	Disabled Welfare Department	May, 2012

#### **II. EDUCATION**

Below is a list and summary of all the Notifications, Schemes and Government Orders issued by the State of Uttar Pradesh with reference to students living with disabilities; and educational institutions, residential schools and other centres of learning, established to cater to the needs of those living with disabilities.

<b>Sl. No.</b>	<b>Description</b>	<b>Issuing Authority</b>	<b>Date Issued</b>
1.	No. 199/65-1-2012-20/2012: Providing proper healthcare and safety measures for students with disabilities in residential schools	Disabled Welfare Department	12.04.2012
2.	No. 2080/26-2-10: Setting up a District Consultation Committee to oversee hygiene and security needs of children with disabilities in residential schools.	Disabled Welfare Department	08.07.2010

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16. <http://commissionerdisabilitiesup.in/achievements.html>.

3.	No. C-3325: Conducting periodic and surprise inspection of facilities made available in residential schools.	Disabled Welfare Department	27.12.2010
4.	No. 507/15-2-08-27 (13)/ 2004 and No.F.1-2/92(PS): Financial Assistance to Blind teachers	Department of Education	30.01.2008, 05.06.1999
5.	No. 3/4/86-K-2/1998: Provision of a scribe for visually impaired candidates seeking to take the State examinations for posts reserved in the Government services	Labour Department	15.09.1998

### III. EMPLOYMENT

Below is a list and summary of all the Notifications, Schemes and Government Orders issued by the State of Uttar Pradesh with reference to self-employment schemes, reservation in the government services for persons with disabilities, and financial assistance towards establishing shops.

Sl. No.	Description	Issuing Authority	Date Issued
1.	No. 18/1/2008 –K – 2- 2008: Reservation in the selection and appointment process for posts in Government services.	Department of Personnel	03.02.2008
2.	No. 18/1/2008 (I)K – 2-2008: Ensuring that one member of the Expert Selection Committee constituted to identify posts for persons with disabilities, will be a person with disabilities.	Department of Personnel	03.02.2008
3.	No. 18/1/2008 (II)K – 2-2008: Relaxation of the maximum age limit for appointment of persons with disabilities to reserved posts in the Government services by 15 years.	Department of Personnel	03.02.2008
4.	No. VA -2-501/10-2005-44/2001 TC and No. VA-2-873/10-2007-44/2001-TC: Regarding the pay scale of visually impaired chair recaners	Finance Department	11.05.2006, 12.09.2007
5.	No. 311/9-6-2008-162 S/01TC: Reservation for the allocation of appropriately priced land for	Finance Department	01.01.2008

	establishment of shops		
6.	Construction and establishment of shops	Disabled Welfare Department	
7.	No. 2041/65-1-2003-156/2003: Exempting the annual transfer of government employees with disabilities, or government employees who has a dependant family member living with disabilities.	Disabled Welfare Department	16.12.2003

### HEALTH AND REHABILITATION

Below is a list and summary of all the Notifications, Schemes and Government Orders issued by the State of Uttar Pradesh with reference to health and rehabilitation schemes.

Sl. No.	Description	Issuing Authority	Date Issued
1.	No. 1745/5-7-2005-15-7/2002: Procedure regarding the issuing of disability certificate.	Department of Family and Medical Healthcare	12.09.2005
2.	No. 1893/ 5-2005-15-7/2005: Notification with reference to disability certificate.	Department of Family and Medical Healthcare	22.11.2005

### IV. SOCIAL PROTECTION

Below is a list and summary of all the Notifications, Schemes and Government Orders issued by the State of Uttar Pradesh with reference to various social protection schemes, which include measures such as disability pension schemes, housing allotment and other forms of financial assistance such as travel and conveyance allowance.

Sl. No.	Description	Issuing Authority	Date Issued
1.	No. 137/65-1-2008-380/96: Providing for conveyance allowance to state government employees with disabilities.	Disabled Welfare Department	12.05.2008
2.	No.1967/9-A1-2001-6-RIT/2000, No. 786/8-1-08-25 (Misc)/ 07 and, No. 1900/8-1-09-25 (Misc)/07: Awarding buildings and plots to persons with disabilities at a concessionary rate.	Housing Department	27.04.2001, 30.01.2008, 08.07.2009
3.	No. 130 CM/ 2A-5-94/08: Allotment of land and buildings for residential and	Housing Department	23.11.1994

	commercial purposes as made by members of the UP Residential and Development Council and other authorities.		
4.	Scheme for Sustenance allowance of disability Persons with Disability (Disability Pension)	Disabled Welfare Department	

### **Annexure C – Excerpts from Meghalaya**

The State government of Meghalaya has not passed any special legislation for persons with disabilities but implements the provisions under the three central laws:

- Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 (Persons with Disabilities Act)
- National Trust for Persons with Cerebral Palsy, Autism, Mental Retardation and Multiple Disabilities Act 1999 (National Trust Act)
- Rehabilitation Council of India Act 1992

The schemes for persons with disabilities that are being implemented by the State Government of Meghalaya are listed as under:

### **Employment**

Currently there is no evidence that the state government has reserved 3% of jobs for persons with disabilities in the government. The orders and notifications for reservations in government jobs show reservations made for various tribes and scheduled Castes, but there is no reference to reservations for persons with disabilities.

### **Education**

In the field of education, the State Government has provided schemes for scholarships, financial assistance, grant-in-aid etc. And these schemes are both by the State government and also some centrally sponsored schemes.

### **Health & Rehabilitation**

- i. Rehabilitation Treatment for the Disabled Scheme: This scheme provides Financial assistance to disabled persons who cannot afford to undergo treatment inside and outside state
- ii. Gharaunda Scheme: GHARAUNDA or Group Home And Rehabilitation Activities Under National Trust Act for Disabled Adults is a new scheme for providing Life Long Shelter & Care to Persons with Disabilities in Group Homes.
- iii. Sabyogi: It is a new and revamped scheme of Caregivers Training & Deployment. A new training module has been designed and a system of training & deployment of Caregivers has been provided for under the scheme.
- iv. Assistance to Voluntary Organizations for the Rehabilitation of Leprosy-Cured Persons

- v. Assistance to Organizations for Persons with Cerebral Palsy and Mental Retardation

### **Social Protection**

- i. Niramaya: This is a health insurance scheme for any person below the poverty line with the four disabilities under the National Trust. The insurance cover is upto Rs. 1 lakh for a vast range of health services from OPD to cashless hospitalisation. The objective of this scheme is to stimulate National Trust activities in unrepresented districts. Under the scheme, fund is provided to set up an NGO, including parents association and then to carry out activities for the welfare of persons with National Trust disabilities.
- ii. Asmita - a Group Life Insurance scheme for parents/guardians of persons with disabilities covered under National Trust Act. This scheme of Group Life Insurance is conceived to ensure financial security and provide an assured minimum fund for the welfare of persons with Autism, Cerebral Palsy, Mental Retardation & Multiple Disabilities in the event of death or permanent disability of their parent or guardian or any other person (supporter) on whom the person with such disability is physically or financially dependent, and to encourage and facilitate parent guardians and such persons (supporters) to plan and ensure adequate financial security for their wards with such disabilities at affordable cost to facilitate assisted living with independence and dignity.
- iii. The National Social Assistance Programme/Indira Gandhi National Disability Pension Scheme (IGNDPS): The Scheme provides monthly financial assistance to the BPL persons attaining the age between 18 and 59 years and having severe or multiple disabilities

### **Annexure D – Excerpts from Lakshadweep**

The union territory of Lakshadweep has not passed any special legislation for persons with disabilities but implements the provisions under the three central laws:

- Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 (Persons with Disabilities Act)
- National Trust for Persons with Cerebral Palsy, Autism, Mental Retardation and Multiple Disabilities Act 1999 (National Trust Act)
- Rehabilitation Council of India Act 1992

The administration of Lakshadweep has constituted Lakshadweep State Executive Committee<sup>17</sup> in exercise of the powers granted under the Section 19 of the Persons with Disabilities Act 1995 read with notification S.O. (E) No. U-11030 / 3 /96 – UTL Dated 5.12.1997 of the Government of India, Ministry of Home Affairs, to perform the functions assigned to it under the Act. The committee consists of the following members:

- Secretary, Welfare – Chairperson
- Commissioner – Member

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17. Directorate of Social Justice Empowerment and Culture, F.No. 20/3/96 – SJEC (1) Dated: 13.09.1999

- Director, Medical and Health Services – Member
- Director, Education – Member
- District Employment Officer – Member
- Secretary, Administration – Member
- Labour Enforcement Officer – Member
- Project Officer, DRDA – Member
- Assistant Director, Planning – Member
- Deputy Director, S&T – Member
- President-cum-Chief Councillor, District Panchayat – Member
- Rajeev Memorial Society, Kiltan – Nominated Member
- Kabeer Club, Kavaratti – Nominated Member
- Chairperson, Village Dweep Panchayat – Nominated Member
- District Panchayat Member, Androt – Nominated Member
- District Panchayat Member, Kadmat – Nominated Member
- Social Welfare Officer – Member Secretary

The schemes for persons with disabilities that are being implemented by the administration of Lakshadweep are listed as under:

### **Employment**

The guidelines issued by the administration to make available special jobs for persons with disabilities provide that the Village Dweep Panchayat will be the agency for the implementation of this scheme. The Island Level Committee (constituted vide notification No. 14/8/2006-SJEC/262 dated: 18/9/2007), is responsible for identification of special jobs for persons with disabilities based on the nature of the disability. This committee is also responsible for selection of candidates for these positions. Persons with disabilities in the age range of 18 to 60 years are eligible for the special jobs. Preference will be given to those from low income groups possessing the required qualification.

### **Health & Rehabilitation**

The administration of Lakshadweep has constituted a District Management Team for setting up of a District Disability Rehabilitation Centre at Kavaratti.<sup>18</sup> The team consists of the following members:

- Collector cum Development Commissioner – Chairperson
- Director, Medical and Health Services – Member
- Director, District Panchayat – Member
- Child Development Project Officer – Member
- Director, Education – Member
- Deputy Director, Science & Technology – Member
- Director, Social Justice, Empowerment and Culture – Member Secretary

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18. Department of Social Justice, Empowerment and Culture, F. No.14/9/2006 SJEC / 1657 Dated: 01.11.2006

## Social Protection

Lakshadweep grants unemployment allowance to persons with disabilities in the following scale:

Sr. No.	Maximum Qualification	Allowance per month
1.	Up to Secondary School Leaving Certificate / Matriculation / Higher Secondary Certificate	Rs. 500
2.	Upto Diploma in professional courses / Graduation in Arts / Science or equivalent	Rs. 800
3.	Upto Graduation / Post Graduation in Professional Courses / Post Graduation in Arts / Science or equivalent, research scholars in Arts / Science or equivalent	Rs. 1000

### **Annexure E – Excerpts from Goa**

Goa has framed the Goa Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 1997 and has formulated the state policy and plan of action for Differently Abled persons to implement the provisions under the three central laws:

- Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 (Persons with Disabilities Act)
- National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities 1999 (National Trust Act)
- Rehabilitation Council of India Act 1992

The government has constituted the State Coordination Committee under the chairmanship of the Minister of Social Welfare and the State Executive Committee under the chairmanship of the Secretary – Social Welfare for monitoring and implementation of the various provisions of the Persons with Disabilities Act.

## Accessibility

The state policy provides that all public buildings, public places and transport services will be made barrier free through design changes, use of appropriate material and strict adherence to building by-laws.

## Education

Goa has joined the Sarva Shiksha Abhyian scheme in 2005. Under this scheme, the government provides free education to children with disabilities in the age group of 6 to 14 years through provision of facilities such as learning aids and tools, mobility assistance and support services. These include education through an open learning system and open educational institutions, alternative schooling options, distance education, home based education, remedial teaching, part-time classes, community based rehabilitation, vocational education and cooperative programmes.

## **Employment & Training**

The government through the state policy provides for three per cent reservation in all identified state government posts as provided in the Persons with Disabilities Act.

## **Health & Rehabilitation**

The government of Goa presents the best NGO award of Rs. 25,000 and a certificate of appreciation to one NGO every year to an NGO that fulfils the following criteria: the NGO should have worked for a number of years for persons with disabilities under the Persons with Disabilities Act 1995, should have started new practices and should have achievements in the fields of training, education or rehabilitation, should have assisted government departments in motivating the general public especially in rural areas to rehabilitate persons with disabilities and should have provided aids and appliances to persons with disabilities.<sup>19</sup>

## **Social Protection**

The government provides a disability pension of Rs. 750 to all persons with disability under the Dayanand Social Security Scheme

The state government provides reservation for persons with disabilities in the flats constructed under the Goa Housing Board and has notified landless disabled persons as one of the category for the Article 334-A of the Legislative Diploma No. 2070 (code of Communicate)

## **Transport**

The government provides free transport facilities for persons with disabilities on all buses, including shuttles, that belong to the state transport corporation upon production of identity cards issued to persons with disabilities.<sup>20</sup>

## **Miscellaneous**

The state of Goa implements a scheme for social audit in respect of the implementing agencies under the Persons with Disabilities Act 1995.<sup>21</sup> Any NGO in Goa that has been registered for at least three years and has been working in the field of disability management is eligible. The NGO will be given a maximum of Rs. 2,00,000 per calendar year to carry out activities related to IEC, capacity building and social audit for activities under the Persons with Disabilities Act. For the purpose of capacity building, the NGO should hold workshops and seminars for important stakeholders of the private and public sector.

## **Annexure F – Excerpts from Himachal Pradesh**

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19. Department of Social Welfare 50-376-2005-2006-HC/1204

20. Directorate of Social Welfare, Panaji, Goa No.50-131-97-98-HC

21. Department of Social Welfare, Panaji, Goa No.50-389-2006-07-HC/



Himachal Pradesh has brought out a state policy for persons with disabilities to implement the provisions under the two central laws, namely:

- Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 (Persons with Disabilities Act)
- National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple disabilities Act 1998 (National Trust Act)

The government of Himachal Pradesh has passed an integrated scheme for persons with disabilities in 2008 to implement Section 25 (A), Section 25 (E), Section 26, Section 30 (D), Section 39, Section 38 (I) (a), Section 41 and Section 66 of the Persons with Disabilities Act 1995.<sup>22</sup> Through this scheme the government has created provisions for education, employment, training, health, rehabilitation and social protection for persons with disabilities.

### **Accessibility**

The integrated scheme for persons with disabilities provides for awareness generation and orientation through awareness camps, seminars and workshops with an idea of creating sensitivity among policy makers and social workers regarding the requirements of persons with disabilities. It also aims to educate the masses regarding barrier free environment and create a pool of access auditors for creating free access to persons with disabilities in public places and buildings. The scheme provides funds for the workshops, seminars and awareness camps to be held at various state, district and block levels.

### **Education**

The government provides scholarships to students with disabilities from Class I to post graduate level and for diploma / vocational / technical / professional education. Students with disabilities whose annual family income from all sources does not exceed Rs. 60,000 are eligible to apply in the prescribed format with copies of bonafide Himachal Pradesh domicile certificate, disability certificate issued by competent authority, annual progress report of the student for the last year from the educational institution and the income certificate of the family.

### **Employment & Training**

The state policy provides three per cent reservation in all state government posts from Class I to Class IV for persons with disabilities divided into one per cent each for persons with visual impairment, hearing impairment and orthopaedic disability. The policy further provides that employees with severe disability – 60 per cent or more – will be posted to stations of their choice as far as possible.

### **Health and Rehabilitation**

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22. Department of Social Justice and Empowerment NO.SJF-C(10)-31/2006  
SHIMLA-2.

The integrated scheme for persons with disabilities creates provisions for early detection and prevention of disabilities through screening of children at regular intervals. The examination of children upto the age of six years will be carried out by Anganwadi workers while the examination of children upto 12 years will be undertaken by the Health and Family Department.

### **Social Protection**

The state policy for persons with disabilities provides three per cent reservation in all poverty alleviation schemes for persons with disabilities.

The government provides marriage grants for persons with disabilities through its integrated scheme for marriages where either one or both parties are with disabilities. The scheme provides for a grant of Rs. 8000 for the marriage of a person who has a disability between 40 per cent and 74 per cent. It provides a grant of Rs. 15,000 for the marriage of a person with more than 75 per cent disability. Application for the grant is to be submitted in the prescribed format with copies of the birth certificate, bonafide domicile certificate for Himachal Pradesh, disability certificate issued by the district medical board and marriage registration certificate of the applicant along with an undertaking from the applicant that such a grant has not been received before.

### **Annexure G – Excerpts from Jammu & Kashmir**

The state of Jammu & Kashmir has enacted the Jammu & Kashmir Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1998 to provide for the rights of persons with disabilities in the state.

In exercise of the powers conferred by the Sub Section (1) of the Section 54 of the above Act, the government of Jammu & Kashmir has issued the Jammu & Kashmir Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 2003.<sup>23</sup>

### **Employment**

The government has issued a notification for identification of gazetted and non gazetted posts for employment of persons with disabilities to the extent of three per cent reservation in direct recruitment as provided in the Jammu & Kashmir Persons with Disabilities Act 1998.<sup>24</sup> The government has issued further orders notifying addition of identified posts to the gazetted and non gazetted posts identified earlier for three per cent reservation for persons with disabilities.<sup>25</sup>

### **Social Protection**

Under the Assistance to Disabled Persons for Purchase / Fitting of Aids and Appliances Scheme (ADIP Scheme), the government of Jammu & Kashmir provides the following grant-

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23. Civil Secretariat, Social Welfare Department No: SW /Rules/117/Disab/98, Dated :11-12-2003

24. Civil Secretariat, Social Welfare Department Government Order No: 62 -SWof 2001. Dated: 13/03/2001

25. Civil Secretariat, Social Welfare Department Government Order No. 231 SW of 2011 Dated: 22.12.2011

in-aid to persons with disabilities for purchase and fitting of aids and appliances. For those persons with disabilities whose income is less than Rs. 5000 per month, the entire cost of the aid / appliance would be borne by the government. For those persons with disabilities whose income is less than Rs. 8000 per month, 50 per cent of the cost of the aid / appliance would be borne by the government.

Further, travelling costs will be admissible to persons with disabilities for visits to the medical centre / rehabilitation centre by ordinary bus fare or railway fare by second class for Rs. 250 per beneficiary irrespective of the number of visits. Travel costs subject to the same limit would be admissible to an attendant / escort accompanying the beneficiary. Boarding expenses of Rs.30 per day would be admissible for a period of 15 days for those beneficiaries whose total income is less than Rs. 5000 per month.

### **Annexure H – Excerpts from Rajasthan**

The Department of Social Welfare and Empowerment, Rajasthan implements the various rules and schemes concerning persons with disabilities in Rajasthan. The State Government has also appointed a Commissioner for Disabilities.

The State Government has also introduced various schemes for welfare of persons with disability. Out of these, schemes such as the Viswas Yojana to provide loan and subsidy for self-employment, Sukhad Jeevan Yojana to provide assistance for marriage of disabled persons and the Aastha Yojana etc. are some of the more important ones.

### **Legal Provisions**

The Government of Rajasthan has formulated four main Rules for the benefit of persons with disability. They are:

- The Rajasthan Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 2011.
- The Rajasthan Government Scholarship to the Physically Handicapped Rules 1981
- The Rajasthan Handicapped, Crippled and Blind Persons Pension Rules 1965
- The Rajasthan Government Financial Assistance to Disabled Individuals Rules 1986

### **Accessibility**

There are very few schemes and provisions made in Rajasthan for accessibility. The existing schemes mainly relate to travel allowances and provision of motorized tricycles.

### **Education**

Education related schemes provide for scholarships to students with disabilities, grants to NGOs running schools and incentives for students.

### **Employment**

Rules: The Rajasthan Government enacted Rajasthan Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 2011. The Rules give various

benefits to Persons with Disabilities in the area of employment in addition to those mentioned in the Persons with Disabilities Act, 1995.

Vishwas Scheme - This scheme provides persons with disability between the ages of 18 and 55 who have a monthly income from all sources not exceeding Rupees 2,000/- a loan of upto Rupees 50,000/- for self employment.<sup>26</sup> Through Notification dated 28/12/2009<sup>27</sup> guideline 2(4)(4) of the Vishwas scheme was amended, thereby increasing the loan given under the scheme to Rs. 1,00,000/- per year.

### **Health and Rehabilitation**

There are no health and rehabilitation schemes except for assistance in purchase of aids and appliances.

### **Social Protection**

There are several schemes for social protection, mainly pension schemes that are formulated by the Rajasthan State Government.

Astha Scheme – This Scheme makes available to persons with disabilities benefits similar to those available to BPL families. Guidelines have been formulated to notify and treat all families in the State having two or more members who are disabled as BPL families. The objective of these guidelines is to alleviate the financial strain felt by such families. The notified families shall receive an 'Astha' card and all institutions providing benefits to BPL families shall provide the same benefits to those families holding an 'Astha' card.

### **Miscellaneous**

There are some other schemes such as the Sukhad Jeevan Yojna which provides a monetary incentive to encourage marriage with persons with disability which was amended vide notification<sup>28</sup> dated 28/02/2009. Under the amended scheme, the monetary incentive under Rule 2(3) was increased from Rupees 20,000/- to Rupees 25,000/- and the income limit of guardian/parent of persons eligible under this scheme was increased from Rupees 12,000/- to 60,000/- per year.

### **Annexure I – Excerpts from Jharkhand**

The Nodal Department in charge of the implementation and enforcement of the Rules and Acts concerning Persons with Disabilities is the Department of Social Welfare, Women and Child Development. The Jharkhand State Policy on Disability Rights seeks to ensure, *inter alia*, Participation, Inclusion, Barrier free environment, Empowerment and Self Advocacy. The policy focuses on the following:

- Public Education and Awareness Raising

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26. [http://www.dnis.org/news.php?issue\\_id=21&volume\\_id=2&news\\_id=273&i=5](http://www.dnis.org/news.php?issue_id=21&volume_id=2&news_id=273&i=5)

27. No.16(1)(A)H.W/Gho/04-05&08-09/SJ&E /10865

28. No. F 16 (1) (17) HW/Gho/04-04 & 08-09/SJ&E/10781

- Prevention of Disabilities through Early Identification and Intervention, immunisation, healthy lifestyle promotion and so on.
- Health Care and Nutrition
- Community Based Rehabilitation
- Barrier Free Access
- Accessible and Flexible Public Transport System
- Inclusive Education
- Employment and Economic Empowerment
- Participation in Public Life
- Skill Development through special vocation training services
- Human Resource Development to ensure access to the necessary rehabilitation services
- Social Security
- Housing
- Cultural and Creative Activities and Sports
- Data Gathering and Research on Persons with Disabilities
- Special Focus areas: Mental Illness, Sensory and Multiple Disabilities, Women and

### **Accessibility**

The Department of Social Welfare, Jharkhand has not made any schemes under this category except for the following:

- i. Concessions on Tickets: For persons with blindness, physical or mental disability, 75% concession on the price of tickets is given in sleeper class and 3<sup>rd</sup> AC compartment while 50% concession is given in 2<sup>nd</sup> and 1<sup>st</sup> AC. For persons who are hearing and speech impaired, a 50% concession is provided. A concession is also provided for any helper traveling with the person with disability.<sup>29</sup>
- ii. Tricycles and Wheelchairs: Tricycles, wheelchairs and other aids and appliances are to be provided to the physically challenged, however there is no specific scheme for the same.<sup>30</sup>

No other provisions have been made with regard to travel allowances.

### **Education**

The State government provides for scholarships, reservations and other facilities for students with disabilities.

### **Employment**

Reservation in Government Jobs: As per Notification No. 728 dated 01/11/2007 read with Notification No. 5776 dated 10/10/2002 and Notification No. 5795 dated 10/10/2002, 3% of

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29. Directory for the Empowerment of Persons with Disabilities through Government and Non Governmental Organisations, pp.25-26.

30. [http://www.telegraphindia.com/1130302/jsp/jharkhand/story\\_16623167.jsp#.UYc8tLW7KAg](http://www.telegraphindia.com/1130302/jsp/jharkhand/story_16623167.jsp#.UYc8tLW7KAg)

Government jobs have been reserved for persons with disabilities in the State.<sup>31</sup> Within this 3%, 1% of the jobs is reserved for persons with partial or complete blindness, 1% for people with hearing disability and 1% for people who are orthopaedically disabled.<sup>32</sup>

### **Social Protection**

Swami Vivekananda Nisshakta Swawalamban Protsahan Yojana: This is a flagship scheme promulgated by the Jharkhand State Government with regard to the welfare of persons with disabilities in the State. Since the financial year 2006-07 the Government has started this scheme where an amount of Rs. 200/- per month is given to every person with disability living in the State and is above the age of 5 years as a stipend through Anganwadi workers. This amount has now been increased to Rs. 400/- per month.<sup>33</sup>

### **Central Schemes**

- i. Cash Transfer Scheme: Jharkhand government has decided to bring all 24 districts of the state under Direct Cash Transfer scheme of the Central Government by May 2013. The Direct Cash Transfer scheme will start in four districts of Jharkhand- Ranchi, Ramgarh, Hazaribagh and Saraikela Kharsawan. The scheme would provide cash directly to persons with disability, in addition to scholarships and pensions for the elderly and other welfare schemes of Central Government through Aadhar cards.
- ii. Deendayal Disabled Rehabilitation Scheme to promote Voluntary Action for Persons with Disabilities: This is an umbrella scheme by the Central Government for the effective rehabilitation of persons with disabilities. The Jharkhand Government, under this scheme, provides assistance to Non Governmental Organisations for provision of a wide range of services to the disabled such as early intervention, programmes for pre school, vocational training, special education, community based rehabilitation, manpower development and so on.<sup>34</sup>
- iii. Assistance to Disabled Persons for Purchase/Fitting of Aids/Appliances (ADIP) Scheme: This scheme of the Central Government has been implemented by the Jharkhand Government. Funds are provided to the state notionally which are then allocated to Implementing Agencies for the purpose of assisting persons with disabilities to promote their physical, social and psychological rehabilitation by helping them.<sup>35</sup>
- iv. Scheme for providing Employment to Persons with Disabilities in the Private Sector: Incentives are being provided by the Government to the private sector employers in order to promote employment in the private sector as well.<sup>36</sup>

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31. Directory for the Empowerment of Persons with Disabilities through Government and Non Governmental Organisations, p. 33.

32. Office Memorandum No.36035/3/2004-Estt.(Res.) dated 29.12.2005.

33. <http://socialwelfarejhar.com/>

34. <http://socialjustice.nic.in/ddrs.php?pageid=6>

35. <http://socialjustice.nic.in/adipjh.php>

36. <http://socialjustice.nic.in/incentdd.php>