

**Minutes of the First Meeting of the Central Advisory Board on
Disability held under the Chairmanship of Hon'ble Minister SJ&E on 13th
February, 2018 at 12 noon**

List of participants is at **Annexure I**.

2. Secretary, DEPwD welcomed Hon'ble Minister SJ&E, who is Chairperson of the Central Advisory Board, Hon'ble MoS, SJ&E also Vice-Chairperson of the Board and other members of the Board, and their representatives for participating in the first meeting of the Central Advisory Board. She stated that the Central Government enacted the Rights of Persons with Disabilities Act, 2016 which came into force on 19.04.2017 replacing the PwD Act, 1995. As per the mandate of the said Act, the Central Government had constituted the Central Advisory Board on Disability through a notification dated 08.11.2017. The Central Advisory Board would serve as the apex policy recommending body on disability matters. Though there are several areas for framing of broad mechanism to facilitate effective implementation of the Act, only certain priority areas were placed before the Board for its consideration in the first meeting. The RPwD Act, 2016 focuses on inclusive education. With a view to achieve the objective of inclusive education, it is essential to identify learning difficulties of various classes of disabilities by way of early detection of disability and subsequently providing early intervention for preparing them to pursue their education through an appropriate environment. The Act also mandates the States to take various measures for implementation of the Act which inter-alia include framing of schemes and programmes for skill development, social security etc., identification of posts, compliance to accessibility standards in public buildings and services, strengthening of office of State Commissioners, appointment of various authorities under the Act etc.

3. Hon'ble Minister SJ&E, Chairman of the Central Advisory Board in his keynote address stated that the Persons with Disabilities (Divyangjan) can

excel as much as others and can contribute to our society and economy. The Government recognises Divyangjan as valuable human resource and is working in that direction to strengthen and empower them on priority basis. After coming into force of the new Rights of Persons with Disabilities Act, 2016, there are a lot of expectations from the States/UTs in ensuring effective implementation of the above law. The Hon'ble Supreme Court in its various judgements has issued directions to the States/UTs to implement the law in letter and spirit. He stated that there is a need to take effective measures for implementation of the Act proactively rather than inviting interventions from any Court of law. He further stated that it would be appropriate to work out collectively to mobilise requisite resources to overcome the challenges to implement the provisions of the new law which aims at transforming the lives of the persons with disabilities across the country. The Central Advisory Board would provide a collective platform to work out future road map in that direction. He also stressed the need for the States and concerned Central Ministries/Departments to implement the targets envisaged in the Accessible India Campaign in compliance of the orders of Hon'ble Supreme Court. He desired that the Central Advisory Board would deliberate on the issues flagged before it taking into account the likely challenges to take forward various initiatives and come out with practical solutions and action plan/road map for implementation of its decisions by all concerned authorities.

4. Dolly Chakrabarty, Joint Secretary, DEPwD and Member-Secretary of the Central Advisory Board made a brief presentation on each of the following agenda points:-

- (a) Promoting Inclusive Education
- (b) Status of commencement of implementation of the provisions of the RPwD Act, 2016 including framing of Rules by the States/UTs in terms of Section 101 of the Act;
- (c) Review of status of implementation of Accessible India Campaign and monitoring mechanism;

- (d) Preparedness of implementation of the UDID project in the States/UTs and certification of various categories of persons with disabilities in terms of the new guidelines notified on 04.01.2018;
- (e) Strengthening of the office of State Commissioners and appointment of Advisory Committee to support the State Commissioners; and
- (f) Implementation of the Order of Hon'ble Supreme Court dated 08.12.2016 in the matter of Reena Banerjee & Another (W.P. (C) No. 11938 of 2016)

A copy of the presentation is at **Annexure II**.

5. Agenda wise brief deliberations and recommendations made by the Central Advisory Board are summarised below:-

(a) Promoting Inclusive Education

- The Central Advisory Board was informed by the representative from Department of School Education & Literacy that the Central Government is implementing the Sarva Shiksha Abhiyan and Rashtriya Madhyamik Shiksha Abhiyan which has inclusive school education component.
- The Central Advisory Board noted that there is a need to develop model inclusive schools at the State level and subsequently at the District level. The States/UTs need to identify schools for transforming them as model inclusive schools.
- The Central Advisory Board requested the Ministry of Human Resource Development, Department of School Education & Literacy to organise National consultation for the purpose of developing a National Programme for providing inclusive education in the country under their supervision.

(b) Status of commencement of implementation of the provisions of the RPwD Act, 2016 including framing of Rules by the States/UTs in terms of Section 101 of the Act

- The Central Advisory Board noted that only a handful of States namely Bihar, Madhya Pradesh, Meghalaya, Sikkim and Uttar Pradesh have notified the State Rules under RPwD Act, 2016. The Central Advisory Board requested other States/UTs to notify the final Rules under the Act by the end of March, 2018.
- The representative from various States/UTs stated that appointment of various authorities and issuance of certain orders on implementation of various provisions of the Act depends on the final rules to be notified by them. The Central Advisory Board, therefore advised the States/UTs to complete the exercise of appointing the authorities by April, 2018.
- The Central Advisory Board advised all the concerned Central Ministries/Departments to take measures for earmarking of 5% of the budget allocation for the persons with benchmark disabilities in all poverty alleviation and developmental schemes during the current financial year.
- The States/UTs may also frame schemes and programmes in accordance with the RPwD Act, 2016 during the current financial year.
- Detailed action taken on implementation of the RPwD Act should be intimated to the office of CCPD by the States/UTs and Central Ministries/Departments by June, 2018.

(c) Review of status of implementation of Accessible India Campaign and monitoring mechanism

- Ministry of Housing & Urban Affairs may take steps to ensure that all the Central Government buildings need to be made barrier free by the August, 2018 and comply with the direction

of Hon'ble Supreme Court in the matter of Shri Rajive Raturi Vs Union of India & Others dated 15.12.2017.

- Ministry of Road Transport & Highways need to monitor implementation of AIC targets regarding commissioning of disabled friendly buses as per the accessibility norms in all Transport Undertakings/Corporations of States/UTs.
- Ministry of Civil Aviation may take steps to ensure that all accessibility features are put in place as per the Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disabilities and Elderly Persons.
- Ministry of Civil Aviation may conduct the accessibility audit as directed by the Hon'ble Supreme Court and report the action taken thereon to the Department by the end of February, 2018.
- Ministry of Railways needs to take immediate steps to provide all accessibility features in all railway stations as well as railway coaches in a time bound manner within the time period as specified in the RPwD Act, 2016. Ministry of Railways also needs to take immediate steps to provide other facilities as raised by the petitioner in the Supreme Court case Shri Rajive Raturi Vs Union of India and Others as per the order of Hon'ble Supreme Court dated 15.12.2017. Ministry of Railways will make an assessment in this behalf so as to ascertain as to by what date(s) these facilities will be provided and report the action taken to this Department by 31.03.2018.
- Ministry of Electronics and Information Technology may conduct a study to prescribe the time frame for making all the Central Government websites accessible immediately as per the directions of the Hon'ble Supreme Court dated 15.12.2017.
- The States/UTs may identify the cities and buildings within the stipulated time frame as per the order of Hon'ble Supreme Court dated 15.12.2017.

(d) Preparedness of implementation of the UDID project in the States/UTs and certification of various categories of persons with disabilities in terms of the new guidelines notified on 04.01.2018

- All the States/UTs where e-UDID cards have been generated but have not been enrolled in all Districts should take immediate steps to start the project in all the Districts by 31.03.2018.
- The States/UTs who have not yet appointed District/State level nodal officer, not shared the information for creation of State/District level admin for use of the application software should complete the process by 31.03.2018.
- The States/UTs where training of district officials has not yet started should workout the training schedule and intimate the same to the Department by 30.04.2018.
- With a view to take care of the shortage of specialist for the purpose of issuance of certificate of disability/UDID Card, the States/UTs should work out a mechanism to make available of the pool of specialists available with them in all the Districts/UTs on allocating specific weekdays for grant of certificate of disability. Help of specialists from other neighbouring States/UTs may also be taken. The States/UTs should organize camps even in block levels to complete the process of certification on a fast track basis.
- The States/UTs may organize workshops for sensitising the District level medical authorities about the new assessment guidelines.
- The States/UTs may take the help of the National Institutes of the Department for the purpose of issuance of certificate of disability

(e) Strengthening of the office of State Commissioners and appointment of Advisory Committee to support the State Commissioners.

- The States/UTs should appoint independent State Commissioners for Persons with Disabilities by June, 2018.
- Advisory Committee to the State Commissioners may also be appointed by June, 2018.
- The Office of the State Commissioner for Persons with Disabilities shall be provided with adequate infrastructure and staff by the respective State Government/UT Administration.

(f) Implementation of the Order of Hon'ble Supreme Court dated 08.12.2016 in the matter of Reena Banerjee & Another (W.P. (C) No. 11938 of 2016)

- All the States/UTs were requested to file their response immediately.
- The States/UTs may submit the action taken report by 15.03.2018.

(g) Other issues raised by the Members

- (i) That one section of the library in each University should be designated as accessible library for persons with disabilities providing books, journals etc in Braille and other accessible forms. It was suggested that text books for school curriculum should be made available in Braille as per the requirement of the RPwD Act, 2016.

The Central Advisory Board recommended that Ministry of Human Resource Development will look into this issue and inform the Board for its consideration in its next meeting.

- (ii) That there is a need to develop capacity building of teachers.

The Central Advisory Board recommended that the Ministry of Human Resource Development in coordination with NCERT and NCTE should develop a curriculum for the B.Ed/M.Ed programmes to take care of the needs of special education for persons with disabilities.

- (iii) That the RPwD Act, 2016 be implemented even without waiting for framing of rules. It was suggested that the State Governments should come out with dedicated State policy for persons with disabilities.

The Central Advisory Board recommended that the States/UTs may take immediate steps to implement various provisions of RPwD Act which do not require specific requirement of Rules immediately. They may consider framing State policies for the empowerment of PwDs at the earliest.

- (iv) That the Government may consider issuing certificate of disability to all persons with disabilities even in case of persons having disability less than 40%.

Hon'ble Minister SJ&E, Chairperson of the Central Advisory Board requested the member to submit a detailed representation to the Department for examination.

6. The meeting ended with a vote of thanks to the Chair.

List of Participants

Officers of DEPwD

1. Dr Thaawarchand Gehlot, Hon'ble Minister (SJE), Chairman
2. Shri Krishan Pal Gurjar, Hon'ble MoS (AJE), Vice-Chairman
3. Ms Shakuntala D. Gamlin, Secretary, DEPwD
4. Ms Dolly Chakrabarty, Joint Secretary, DEPwD
5. Smt T.C.A. Kalyani, JS&FA, DEPwD
6. Dr. Kamlesh Kumar Pandey, Chief Commissioner for Persons with Disabilities
7. Shri K.V.S. Rao, Director, DEPwD
8. Shri Kshitij Mohan, Director (IFD)
9. Shri Vikash Prasad, Director, DEPwD
10. Shri M.L. Meena, DS, DEPwD
11. Shri Sitaram Yadav, DS, DEPwD
12. Shri D.K. Panda, US, DEPwD
13. Shri S.K. Mahto, US, DEPwD
14. Shri K.P. Khatana, Addl PS to MoS (SJE)

National Institutes

1. Prof. S.R. Mittal, NIEPVD, Dehradun
2. Dr Vinod Kumar Kain, NIEPVD, Dehradun
3. Dr. S.P. Das, Director SVNIRTAR, Cuttack
4. Dr. A.K. Sinha, Director AYJNISHD, Mumbai
5. Dr. A. Biswas, Director, NILD, Kolkata
6. Ms Smita Jayant, Director, PDUNIPPD
7. Dr. B.N. Gangadhar, Director, NIMHANS, Bangalore
8. Dr Vineet Rana, Manager-Project, NHFDC

States/UTs

1. Shri Rajendra Pal Gautam, Minister, Social Welfare, Government of NCT of Delhi
2. Dr A. Madhavi, Department of Social Welfare, Government of NCT of Delhi

3. Dr. A.C. Verma, Secretary (Social Welfare), Government of NCT of Delhi
4. Shri Manohar Lal Sharma, Department of Social Justice & Empowerment, Govt of Himachal Pradesh
5. Shri Pradeep Singha, Department of SJE, Himachal Pradesh
6. Shri Yogendra Yadav, Director, Social Welfare, Uttarakhand
7. Ms Alka Yadav, Department of SJE, Haryana
8. Dr Vishal Saini, Department of SJE, Haryana
9. Shri R. Prasana, Special Secretary, Chhattisgarh
10. Ms Kavita Singh, Director SSWCD, Punjab
11. Ms Sarala Rai, Secretary, SJE & WD, Sikkim
12. Dr. R.K. Kumarjit Singh, State Commissioner of Disability, Manipur
13. Shri L. Dhaneshwar Singh, CWO, Department of Social Welfare, Manipur
14. Shri H. Marwein, Additional Chief Secretary, Meghalaya
15. Shri C. Kharkongar, Commissioner for PwDs, Meghalaya
16. Shri Prafulla Samal, Minister, SSEPD, Odisha
17. Shri Nitin Chandra, Secretary, Department of Social Security & Empowerment of PwDs, Odisha
18. Shri Biju Prabhakar, Secretary, Kerala
19. Shri Zarzokini, Joint Resident Governor, Mizoram House, Government of Mizoram
20. Shri K. Sarangapani, Director Social Welfare, Puducherry
21. Ms Nishu Singal, MCS, Director, Social Welfare, Chandigarh
22. Ms Monica Kashkar, Dy Resident Commissioner, Govt. of Karnataka
23. Anil Kumar, Principal Secretary, SJE, Haryana
24. Ms Sandhya Roy Choudhary, DS (ICOS), Arunachal Pradesh
25. Shri K.R.B.N. Chakravarty, Commissioner, West Bengal
26. Ms Rashmi Singh, Secretary Social Welfare, Andaman & Nicobar

Central Ministries/Departments

1. Shri Chittaranjan Kumar, Department of Women & Child Development
2. Shri Ravinder, Joint Secretary, Department of Industrial Policy and Promotion
3. Shri Harkesh Meena, Director, Ministry of Road Transport & Highways
4. Shri Inder Dhamija, Department of Sports
5. Shri Arun Kumar Yadav, Department of Sports
6. Shri V. Acharya,
7. Shri V.A. Chavda, DARPG

8. Shri Gyanendra Tripathi, Joint Secretary, DoPT
9. Dr Ravi Kant Bhatnagar, DG (Employment), Ministry of Labour & Employment
10. Ms Sujasha Choudhoury, Director, Department of Pensions and Pensioner's Welfare
11. Shri T.C. Varghese, Under Secretary, Department of Pensions and Pensioner's Welfare
12. Shri S.R. Meena, DS, Ministry of Women & Child Development
13. Shri S.R. Mishra, Department of Legal Affairs, Ministry of Law & Justice
14. Shri Alok Kumar, Ministry of Railways
15. Shri S. Biswas, AAI, Ministry of Civil Aviation
16. Ms Preeti Nath, Secretary, Ministry of Health & Family Welfare
17. Shri Ziley Singh Vical, DS, Ministry of Health & Family Welfare
18. Shri Malay Kumar Halder, Section Officer, Ministry of Health & Family Welfare

Nominated Members

1. Shri Bhushan Punani, Blind People's Association, Ahmedabad, Gujarat
2. Shri Pankaj Maru, Nagda Zenith Social Welfare Society, Madhya Pradesh
3. Shri G.Vijaya Raghavan, CADRRE, Kerala
4. Ms Ruma Banerjee, Seva-in-Action, Bangalore
5. Dr Milind Madhav Kasbekar, SAKSHAM, Pune, Maharashtra
6. Shri S.K. Rungta, National Federation of the Blind, Delhi
7. Shri Atul Gupta, APEX, Meerut, UP
8. Ms Hemlata Ashok Jadhav, Punyatma Prabhakar Sharma Seva Mandal, Maharashtra
9. Shri Kanubhai Tailor, Disable Welfare Trust of India, Surat, Gujarat
10. Dr Bhagwati Prasad, DICCI, Lucknow, UP
11. Shri Maha Bir Pershad, Consultant, Ministry of Panchayati Raj
12. Shri Sanjay Kumar, Ministry of Housing & Urban Affairs
13. Ms Usha Balri, CPWD
14. Prof. Hrushikesh, Director NCERT
15. Dr Dev Swarup, University Grants Commission
16. Dr Usha Punjabi, M.B.S. Indore
17. Dr Sukumar, SAKSHAM, Maharashtra
18. Dr Uttam Ojha, Varanasi, UP
19. Ms Kusum Mahajan, Haryana

First Meeting of the Central Advisory Board on Disability

13th February, 2018

Background

- Section 60 of the Rights of Persons with Disabilities Act, 2016 mandates the Central Government to constitute the Central Advisory Board (CAB).
- Accordingly the Central Advisory Board has been constituted vide notification dated 08.11.2017.
- As per Section 64 of the said Act, the Central Advisory Board needs to meet at least once in every six months.
- This is the first meeting of the Central Advisory Board.

Functions of the Central Advisory Board on Disability (Section 65(2))

- Advise the Central Government and the State Governments on policies, programmes, legislation and projects with respect to disability;
- Develop a national policy to address issues concerning persons with disabilities;
- Review and coordinate the activities of all Departments of the Government and other Governmental and non-Governmental Organisations which are dealing with matters relating to persons with disabilities;
- Take up the cause of persons with disabilities with the concerned authorities and the international organisations with a view to provide for schemes and projects for the persons with disabilities in the national plans;

Functions of the Central Advisory Board on Disability (Section 65(2))

Contd...

- Recommend steps to ensure accessibility, reasonable accommodation, non-discrimination for persons with disabilities *vis-à-vis* information, services and the built environment and their participation in social life;
- Monitor and evaluate the impact of laws, policies and programmes to achieve full participation of persons with disabilities; and
- Such other functions as may be assigned from time to time by the Central Government.

List of Agenda Items

- Promoting Inclusive Education
- Status of commencement of implementation of the provisions of the RPwD Act, 2016 including framing of Rules by the States/UTs in terms of Section 101 of the Act
- Review of status of implementation of Accessible India Campaign and monitoring mechanism
- Preparedness of implementation of the UDID project in the States/UTs and certification of various categories of persons with disabilities in terms of the new guidelines notified on 04.01.2018
- Strengthening of the office of State Commissioners and appointment of Advisory Committee to support the State Commissioners.
- Implementation of the Order of Hon'ble Supreme Court dated 08.12.2016 in the matter of Reena Banerjee & Another (W.P. (C) No. 11938 of 2016)

AGENDA ITEM 1

**PROMOTING INCLUSIVE
EDUCATION**

Inclusive Education – Definition/Provision

- Inclusive education means a system of education wherein students with and without disability learn together and the system of teaching and learning is suitably adopted to meet the learning needs of different types of students with disabilities. (Section 2(m))
- [Section 16](#) of the RPwD Act mandates the Government and local authorities to ensure that all educational institutions funded or recognised by them provide inclusive education to children with disabilities.
- [Section 17](#) of the Act enlists specific measures for the purpose of achieving the objective of inclusive education. Such measures relate to periodic survey of school going children, training of professionals and staff, creation of resource centre etc.

Matters for consideration of CAB regarding Inclusive Education

- Major bottlenecks experienced so far to achieve inclusive education.
- State Governments and Union Ministry of Human Resource Development, Department of School Education & Literacy are the nodal authority for framing policies to achieve the target of education for all and to promote inclusive education in the country.
- The Department of School Education may organise a National Consultation process to develop model inclusive schools in each State/UT and overcome various shortcomings.

AGENDA ITEM 2

**STATUS OF COMMENCEMENT OF
IMPLEMENTATION OF THE PROVISIONS
OF THE RPWD ACT, 2016 INCLUDING
FRAMING OF RULES BY THE
STATES/UTs IN TERMS OF SECTION
101 OF THE ACT**

Action taken by Government of India

- Act brought into force from 19.04.2017
- RPwD Rules notified on 15.06.2017 specifying accessibility norms, manner of publication of equal opportunity policy, manner of grant of certificate of disability, transaction of business of CAB and office of CCPD etc
- Guidelines for assessment and certification of various specified disabilities notified on 04.01.2018
- DoPT issued instruction for implementation of reservation in jobs in Central Government establishments on 15.01.2018
- Expert Committee constituted to identify posts for persons with disabilities in the Central Government. Report awaited.

Measures to be taken by States/UTs

Chapter/Section /Rule of the RPwD Act/Rules	Authorities to be appointed
Section 14	Authority to grant limited guardianship
Section 15(2)	Authority to mobilise community and create social awareness to promote exercise of legal capacity
Rule 7	Nodal officer in the District Education office to take care of implementation of provisions relating to school education
Section 49	Authority for the purpose of registration of institutes
Section 57	Medical authorities as per the Guidelines for certification of PwDs
Section 84	Designation of Special Courts in every district
Section 85	Appointment of Special Public Prosecutor for conducting cases in the Special Courts.

Measures to be taken by States/UTs Contd..

Chapter/Section/Rule of the RPwD Act/Rules	Action to be Taken
Chapter III, IV, V and VI	To frame schemes/programmes to promote inclusive education, skill development and training, social security, health, rehabilitation and recreation
Section 33	To identify posts for different class of persons with disabilities and also issue appropriate instructions regarding reservation for PwDs
Section 66 & 72	To constitute State Advisory Board and District level Committees

Measures to be taken by States/UTs Contd..

Chapter/Section/Rule of the RPwD Act/Rules	Action to be taken
Section 79 (7)	To appoint State Commissioners for persons with disabilities to monitor implementation of the Act and also Advisory Committee to State Commissioner
Section 88	To create State Fund for Pads
Section 101	To frame Rules within a period of six months from the date of commencement of the Act which expired on 18.10.2017

Matters for consideration of CAB

- Central Ministries/Departments may at the level of Secretary review implementation of RPwD Act from time to time.
- State Governments to constitute State Advisory Board and District level Committee for ensuring proper implementation of the Act.
- The C&AG audit in 2004 made adverse comments regarding non implementation of the earlier PwD Act, 1995 and the matter is now under consideration of PAC. The defaulting States/UTs may be directed to send immediate information by 20.02.2018.

AGENDA ITEM 3

**REVIEW OF STATUS OF
IMPLEMENTATION OF ACCESSIBLE
INDIA CAMPAIGN AND MONITORING
MECHANISM**

Background

- Hon'ble Prime Minister launched the Accessible India Campaign on 03.12.2015.
- The Campaign has three pillars (a) accessibility in built environment, (b) transportation system and (c) Information Communication Technology eco system and provides phase wise targets.
- Hon'ble Supreme Court in the matter of Rajive Raturi Vs Union of India & Others (W.P.(C) No. 243 of 2005) in its order dated 15.12.2017 has given direction to all the States/UTs as well as the Union Government to comply with the targets envisaged under AIC within a period of three months and file a report before it within the said period.

Directions of Supreme Court

Directions of Supreme Court	Action to taken by
All Government buildings providing any services to the public are to be made fully accessible by June, 2019.	All States/UTs
Make 50% of all the Government buildings of the national capital and all the state capitals fully accessible by December, 2018. State Governments are required to identify the buildings by February, 28, 2018.	
Insofar as deadline for retrofitting is concerned, the work should be completed by December, 2018.	
States to identify 10 most important cities/towns and complete the accessibility audit of 50% of Government buildings in these cities/towns by February, 28, 2018.	
States and Union Territories to constitute State Advisory Boards on Disability i.e. by 14.03.2018.	

Directions of Supreme Court Contd...

<p>Ministry of Railways to provide all accessibility features in the railway stations in a time bound manner after due assessment within 3 months. They may conduct a study in this regard.</p>	<p>Ministry of Railways</p>
<p>Ministry of Civil Aviation to follow IIT Roorkee template for providing accessibility features in the airports and will conduct the accessibility audit and upload the same on the website by June, 2018.</p>	<p>Ministry of Civil Aviation</p>
<p>Study to be undertaken for prescribing a timeline for making all the websites accessible and report to be filed within three months.</p>	<p>Ministry of Electronics and Information Technology</p>

Directions of Supreme Court Contd...

- All the Central Government buildings need to be made barrier free by the August, 2018.
- The Harmonised Guidelines should be regularly updated keeping in view the provisions of the disabilities Act, 2016 and technologically advancement viz-a-viz the needs of persons with disabilities.

Ministry of
Housing and
Urban Affairs

Matters for consideration of CAB

- Ministry of Railways, Ministry of Civil Aviation, Ministry of Housing and Urban Affairs, Ministry of Electronics and Information Technology to comply with the directions and submit report to the Ministry by 25.02.2018.
- States/UTs needs to ensure submission of their compliance report as per the order of Hon'ble Supreme Court.

AGENDA ITEM 4

**PREPAREDNESS OF STATES/UTs
IMPLEMENTATION OF THE UDID PROJECT
AND CERTIFICATION OF VARIOUS
CATEGORIES OF PERSONS WITH
DISABILITIES IN TERMS OF THE NEW
GUIDELINES NOTIFIED ON 04.01.2018**

Introduction

- Unique Disability ID Project aims to create a national data base for Persons with Disabilities and also to issue unique ID card to each of them.
- Application Software has already been developed and hosted on NIC cloud.
- The software would serve as an online platform for issuance of certificate of disability.
- The data base would capture personal details, identity details, disability details (Type, Area, %, No. of Certificate etc.), education details, employment details (Status, Occupation, BPL/APL, Income etc.), disability Certificate details, scheme related details, voter ID and other Id proofs of person/parents/guardian etc.

Introduction Contd...

- In the first Phase, 14 States/UTs were selected namely Chandigarh, Chhattisgarh, Gujarat, Haryana, Jharkhand, Kerala, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Tamil Nadu, Telangana, Tripura and Uttar Pradesh.
- Now all the remaining States have also been taken on board for rollout of project.

Support to the States/UTs

Purpose	Amount of Support (in Rs) (per District)
Field Publicity	Population more than 20 lakh – Rs 2.5 lakh Population between 10 – 20 lakh – Rs 2.0 lakh Population less than 10 lakh – Rs 1.5 lakh The amount is released in two instalments, 50% is advance and rest on utilisation.
Hardware (1 computer, 1 printer, 1 web camera, 5 bio-metric scanner) as per the prescribed standards.	Rs 1 lakh The amount will be given in advance and the District medical authorities would have to submit the original bill for the same.

Support to the States/UTs

Contd...

Purpose	Amount of Support (in Rs) (per District)
Digitisation of manual records of existing certificate of disability	Rs 3.64 per certificate. The amount will be released in two instalments, 50% in advance and 50% on utilisation.

Matters for consideration of CAB

The States/UTs may be directed:-

- To nominate State and District wise Nodal officers, if not yet done.
- To prepare schedule for District/State level training where training is yet to start.
- To constitute appropriate medical authorities in terms of the guidelines issued on 04.01.2018.
- To take steps to make available specialists for assessment of disability.
- Ministry of Health & Family Welfare and State Health Directorates to train medical authorities in implementing the new guidelines.

AGENDA ITEM 5

**STRENGTHENING OF THE OFFICE OF STATE
COMMISSIONERS AND APPOINTMENT OF
ADVISORY COMMITTEE TO SUPPORT THE
STATE COMMISSIONERS**

Background

- Section 79 of the RPwD Act, 2016 mandates the State Governments to appoint a State Commissioner for persons with disabilities.
- As per Section 79(7) of the said Act, the State Commissioner shall be assisted by in a advisory committee comprising of not more than 5 members drawn from the experts in the disability sector.
- As per information available with this Department, 19 States/UTs have independent State Commissioners where as the rest of the States/UTs have either the additional charge to Secretary/Additional Secretary/Director Social Welfare or have no State Commissioner.
- Further the information regarding appointment of Advisory Committee to the State Commissioner is not available in this Department.

Matters for consideration of CAB

- The States/UTs need to appoint independent Commissioners for PwDs since they are the watchdog of implementation of RPwD Act.
- The office of the State Commissioner should be provided with adequate human resource support and other facilities.
- The States/UTs need to fasten the appointment of the Advisory Committee and complete the process by March, 2018.
- A mechanism for disposal of cases by the State Commissioner needs to be worked out.

AGENDA ITEM 6

**IMPLEMENTATION OF THE ORDER OF
HON'BLE SUPREME COURT DATED 08.12.2016
IN THE MATTER OF REENA BANERJEE &
ANOTHER (W.P. (C) NO. 11938 OF 2016)**

Background

- The Hon'ble Supreme Court issued a direction on 08.12.2016 in the matter of Civil Appeal No. 11938 of 2016 arising out of Special Leave Petition (Civil) No. 39321/2012 - Reena Banerjee & Others Vs Government of NCT of Delhi & Others regarding evaluation of rehabilitation homes for persons with intellectual disabilities and mental illness.

Action Point for implementation of the Order of Hon'ble Supreme Court

- A National Policy/programme may be developed which can be implemented at the micro level. The recommendations to be made in this regard by the Central Coordination Committee (now Central Advisory Board) must ideally focus on zone wise necessity of the four regions of the country.
- The concerned State Coordination Committees (now State Advisory Boards) may be directed to follow the policy/programmes.
- The States are required to place the affidavits filed by them before the Hon'ble Court for consideration of the State Advisory Boards to undertake similar exercise of evaluation of conditions of local homes and take remedial measures within a period of six months.

Action Point for implementation of the Order of Hon'ble Supreme Court Contd...

- A copy of the directions issued by the State Advisory Boards in this regard needs to be forwarded to Central Advisory Board.
- Use of IT technology to facilitate the authorities to closely monitor the conditions of the hospital/homes and the facilities made available to the inmates should be explored.
- The Central Advisory Board and the State Advisory Boards are required to take necessary remedial measures to ensure that deficiency in the respective institutions are dealt with in a period of six months.

Action Point for implementation of the Order of Hon'ble Supreme Court Contd..

- The Chairpersons of the State Advisory Boards are required to file compliance report with the registry of the Court within a period of eight months with an advanced copy to the Central Advisory Board. The Central Advisory Board would subsequently submit its report within a period of 10 months from the date of judgment.
- As regards hospitals and nursing homes established under the 1987 Act, similar procedure needs to be followed.

Matters for consideration of CAB

- The Department has issued guidelines on 18.08.2017 for rehabilitation homes for mentally ill persons in connection with another Supreme Court matter relating to Gaurav Bansal Vs Government of UP and others. The Central Advisory Board may adopt similar guidelines for adherence by the States/UTs in respect of evaluation and management of the rehabilitation homes meant for persons with intellectual disabilities.

THANK YOU

Section 16 of the RPwD Act, 2016

The appropriate Government and the local authorities shall endeavour that all educational institutions funded or recognised by them provide inclusive education to the children with disabilities and towards that end shall —

- admit them without discrimination and provide education and opportunities for sports and recreation activities equally with others;
- make building, campus and various facilities accessible;
- provide reasonable accommodation according to the individual's requirements;
- provide necessary support individualised or otherwise in environments that maximise academic and social development consistent with the goal of full inclusion;

Section 16 of the RPwD Act, 2016

Contd...

- ensure that the education to persons who are blind or deaf or both is imparted in the most appropriate languages and modes and means of communication;
- detect specific learning disabilities in children at the earliest and take suitable pedagogical and other measures to overcome them;
- monitor participation, progress in terms of attainment levels and completion of education in respect of every student with disability;
- provide transportation facilities to the children with disabilities and also
- the attendant of the children with disabilities having high support needs.

Section 17 of the RPwD Act, 2016

The appropriate Government and the local authorities shall take the following measures for the purpose of section 16, namely:—

- to conduct survey of school going children in every five years for identifying children with disabilities, ascertaining their special needs and the extent to which these are being met;
- Provided that the first survey shall be conducted within a period of two years from the date of commencement of this Act;
- to establish adequate number of teacher training institutions;
- to train and employ teachers, including teachers with disability who are qualified in sign language and Braille and also teachers who are trained in teaching children with intellectual disability;

Section 17 of the RPwD Act, 2016 Contd...

- to train professionals and staff to support inclusive education at all levels of school education;
- to establish adequate number of resource centres to support educational institutions at all levels of school education;
- to promote the use of appropriate augmentative and alternative modes including means and formats of communication, Braille and sign language to supplement the use of one's own speech to fulfill the daily communication needs of persons with speech, communication or language disabilities and enables them to participate and contribute to their community and society;

Section 17 of the RPwD Act, 2016 Contd...

- to provide books, other learning materials and appropriate assistive devices to students with benchmark disabilities free of cost up to the age of eighteen years;
- to provide scholarships in appropriate cases to students with benchmark disability;
- to make suitable modifications in the curriculum and examination system to meet the needs of students with disabilities such as extra time for completion of examination paper, facility of scribe or amanuensis, exemption from second and third language courses;
- to promote research to improve learning; and
- any other measures, as may be required.