

Government of India
Department of Empowerment of Persons with Disabilities
Ministry of Social Justice and Empowerment

**Public Notice Inviting Comments on the draft National Policy for
Persons with Disabilities**

The existing National Policy for Persons with Disabilities was adopted in 2006. Since then, a number of developments has taken place in disability sector which include signing of United Nations Convention on the Rights of Person with Disabilities (UNCRPD) by India in October, 2007, enactment of the Rights of Persons with Disabilities Act, 2016 in line with this Convention and adoption of National Education Policy 2020 which promotes inclusive education.

2. Keeping in view the above development, a Committee was constituted under Secretary, DEPwD and consisting of persons with disabilities & their associations and other experts to review the existing National Policy for Persons with Disabilities, 2006 and to suggest a new draft National Policy for Persons with Disabilities.

3. The Committee constituted a Task Force under Joint Secretary, DEPwD to draft a new National Policy for Persons with Disabilities for its consideration. The Task Force submitted its recommendations with a draft new National Policy for Persons with Disabilities to the Committee on 12.10.2021. The Committee deliberated on the draft National Policy suggested by the Task Force. Based on its deliberations and inputs from the members, the Committee suggested a draft new National Policy for Persons with Disabilities which could be placed for wider stakeholder consultation. The draft National Policy is **Annex** herewith.

4. The Department of Empowerment of Persons with Disabilities hereby invites comments from the public on the Draft National Policy for Persons with Disabilities as placed at **Annexure by 9th July, 2022** (i.e. within 30 days from the date of placing the Notice in the website). Comments on this draft National Policy may kindly be sent by email at panda.dk@nic.in and policy.depwd@gmail.com, within the stipulated date.

Under Secretary to the Government of India



सत्यमेव जयते

भारत सरकार

Government of India

Draft National Policy For Persons with Disabilities (Divyangjan), 2021

Department of Empowerment of Persons with
Disabilities (Divyangjan)

Ministry of Social Justice and Empowerment

Government of India

www.disabilityaffairs.gov.in

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Chapter 1

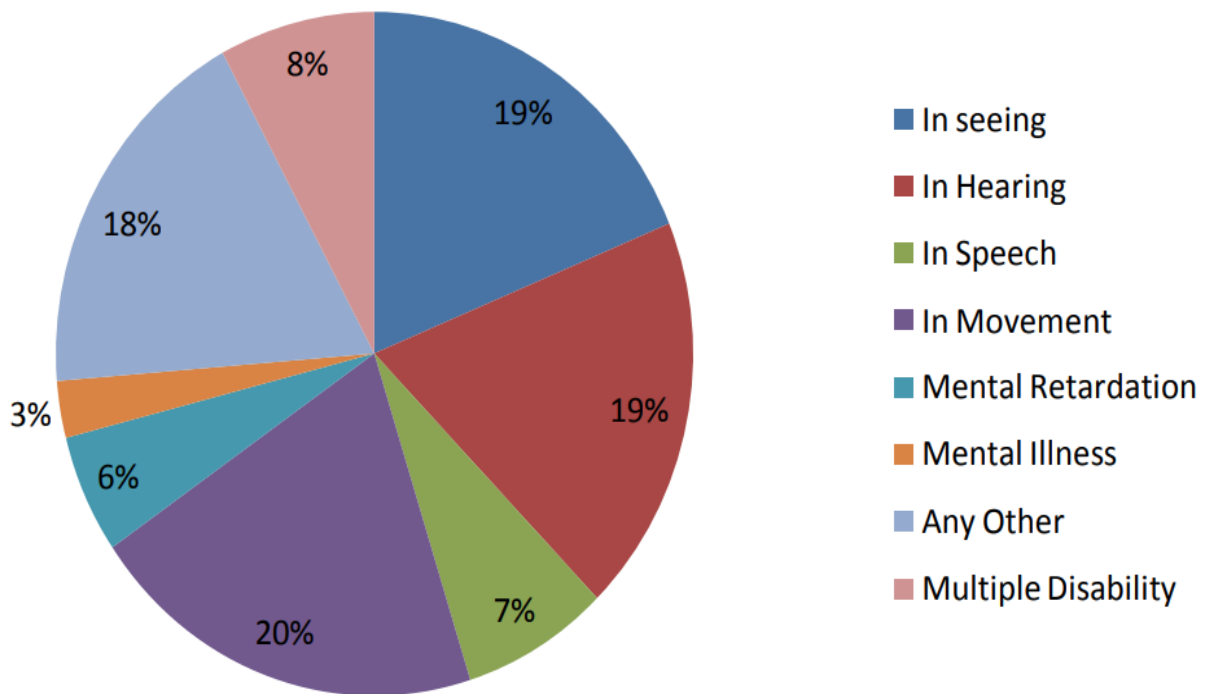
Introduction

The problem is not how to wipe out the differences but how to unite with the differences intact.

- Rabindranath Tagore

1.1 The Constitution of India guarantees equality of all citizens. However, persons with disabilities (PwDs) due to socio-psychological and cultural reasons face stigma, discrimination and neglect. There is a widespread underestimation of the abilities and potential of persons with disabilities due to general public perception and prejudices, thereby creating a vicious cycle of under achievement. This in turn results in various complexities among them, which further harms their growth. Concerted efforts have been made to demystify the meaning of disability and fight myths and misconceptions of disability. There is a need to keep new ideas alive everyday so that the old negative attitudes and perceptions do not assert themselves.

1.2 The 2011 Census puts the number of persons with disabilities at 2.68 crores implying 2.21% of Indian population has some form of disability, as compared to global average of 15%.



With the coming into force of the Rights of Persons with Disabilities Act, 2016, which recognizes 21 categories of disabilities, the number of persons with disabilities in the country is expected to increase significantly.

1.3 Meanwhile, the Department of Empowerment of Persons with Disabilities, Government of India also started implementing the Unique Disability ID (UDID) project for creating a national database for persons with disabilities based on certification by competent authorities. By the end of 2022, the database is expected to give a real time data on PwDs which will be comparable with other countries on many parameters.

1.4 As per Census, 2011, literacy rate of the total PwD population is about 55% (male – 62%, female -45%). As regards higher education, only about 5% of PwDs are graduate and above. Census data of 2011

further shows that about 36% of the total PwDs are employed (male - 47%, female-23%).

1.5 Our Constitution guarantees freedom, justice and dignity of all citizens including persons with disabilities without any discrimination, which implies an inclusive society for all. Article 41 of the Constitution of India relating to right to work, to education and to public assistance in certain cases, states that the State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want. Further, relief to persons with disabilities is a state subject by virtue of entry 9 of List II of the Constitution. Welfare of PwDs also figures in 11th and 12th Schedules of the Constitution pertaining to Panchayats and Municipalities respectively.

1.6 Disability was earlier viewed only from medical perspective. Over the years, there has been paradigm shift in understanding disability worldwide and today it is viewed as a socio-medical issue. Education, employment, access to buildings, transport and information systems have, in the past, been difficult for persons with disabilities to access. The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 was the first law in the country for creating an inclusive environment for persons with disabilities which recognized only seven categories of disabilities namely locomotor disability, blindness, low vision, hearing impairment, leprosy cured, mental illness and mental retardation.

1.7 In 2006, Central Government formulated the National Policy for Persons with Disabilities. It recognizes that the persons with disabilities are a valuable human resource for the country and seeks to create an environment that provides them equal opportunities, protection of their rights and full participation in society. The policy is based on the principles of equality, freedom, justice and dignity of all individuals as enshrined in the Constitution. It implicitly mandates an inclusive society for all, including persons with disabilities. The Policy also recognizes the fact that a majority of persons with disabilities can lead a better quality of life if they have equal opportunities and effective access to rehabilitation measures.

1.8 The principal areas of intervention under the existing policy are early-identification and intervention, rehabilitation, human resource development, education, employment, barrier-free environment, social protection, research, sports, recreation and cultural activities.

1.9 In 2007, India became a party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) which is based on the following principles:

- (a) respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- (b) non-discrimination;
- (c) full and effective participation and inclusion in society;
- (d) respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- (e) equality of opportunity;

(f) accessibility;

(g) equality between men and women; and

(h) respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities;

1.10 Universal inclusion of all vulnerable groups including persons with disabilities in the mainstream activities are reflected in the 2030 agenda for Sustainable Development Goals adopted by United Nations in 2015 that seeks “to promote peaceful and inclusive societies for sustainable development, access to justice for all, building effective, accountable and inclusive institutions at all levels, promoting sustained and inclusive economic growth, full and productive employment and decent work for all, building resilient, inclusive and accessible infrastructure, ensuring healthy life and promote well-being for all in all age groups, ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all”.

1.11 India is also a party to the ‘Incheon Strategy for Asia Pacific Decade for PwDs: 2013-2022’ prepared under the aegis of UNESCAP which identifies 10 goals for the Asia-Pacific countries to ensure inclusion and empowerment of PwDs in the region. These goals aim at (i) reducing poverty and enhancing work and employment prospects, (ii) promoting participation in political processes and in decision-making, (iii) enhancing access to the physical environment, public transportation, knowledge, information and communication, (iv) strengthening social protection, (v) expanding early intervention and education of children with disabilities, (vi) ensuring gender equality and

women's empowerment, (vii) ensuring disability-inclusive disaster risk reduction and management, (viii) improving the reliability and comparability of disability data, (ix) accelerating ratification and implementation of UNCRPD and the harmonizing national legislation with it and (x) advancing sub regional, regional and interregional cooperation.

1.12 There are four national legislations dealing with persons with disabilities namely, Rehabilitation Council of India Act, 1992, National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999; the Rights of Persons with Disabilities Act, 2016 and Mental Healthcare Act, 2017. Out of these, the first three legislations are dealt by the Union Ministry of Social Justice and Empowerment, and the fourth by the Union Ministry of Health and Family Welfare.

1.13 One of the obligations under UNCRPD and Incheon Strategy Goals is to align the domestic law in line with the provisions of the UN Convention. Accordingly, the Rights of Persons with Disabilities Act, 2016 was enacted on 28.12.2016 which came into force from 19.04.2017. The Act recognizes new spectrum of disabilities and provides various rights and entitlements for persons with disabilities with safeguards for protection of such rights.

1.14 In view of Government of India's strong commitment to the empowerment of Persons with Disabilities, the Department of Empowerment of Persons with Disabilities was created in 2012 under the Ministry of Social Justice & Empowerment to give greater emphasis

on policy issues and implementation of schemes and programmes for persons with disabilities.

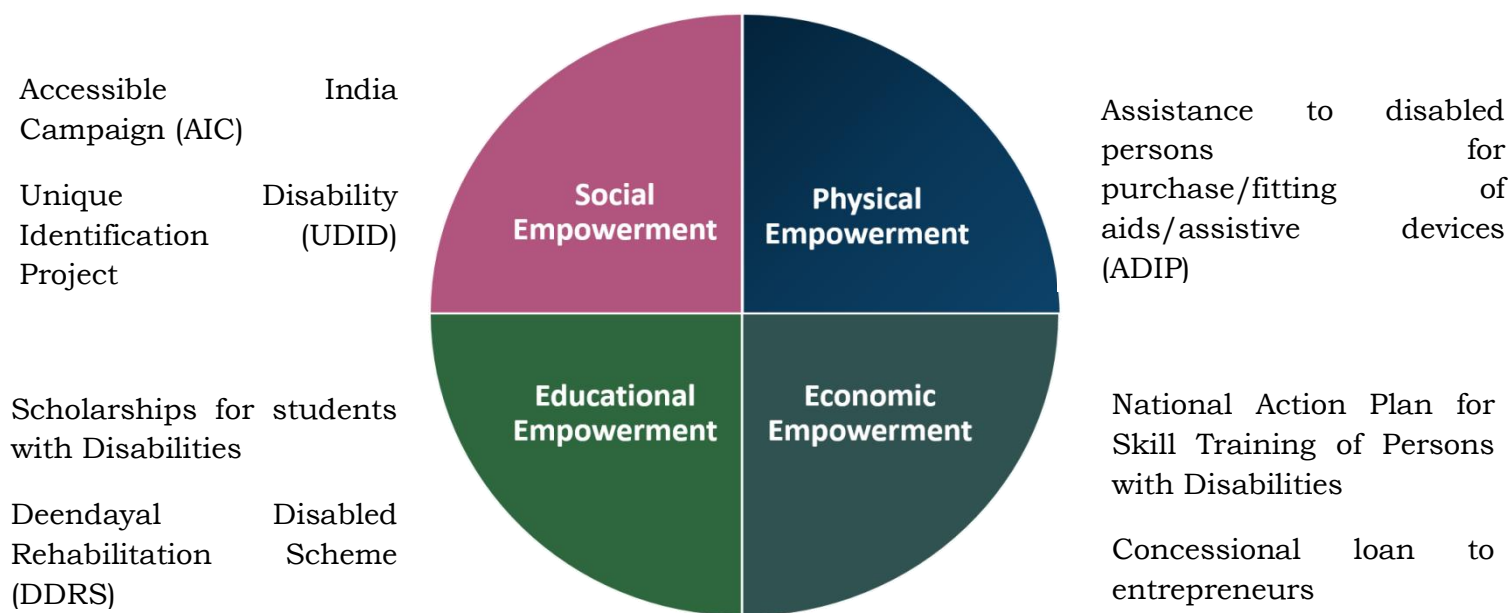
1.15 To achieve its aims and objectives, there is a strong institutional framework of the Department which consists of office of Chief Commissioner for Persons with Disabilities, Rehabilitation Council of India, National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities, and nine National Institutes dedicated to different disabilities, Regional and District-level Centres for Persons with Disabilities and Composite Regional Centres. These organizations are involved in providing rehabilitation services, education, training and research, regulation and developmental activities. The Department's two Central Public Sector Enterprises viz. Artificial Limbs Manufacturing Corporation Ltd and National Handicapped Finance Development Corporation are involved in manufacture of aids and assistive devices, and providing financial assistance for economic empowerment of the PwDs, respectively.

1.16 The Department of Persons with Disabilities, M/o Social Justice and Empowerment has undertaken several initiatives for empowerment of persons with disabilities. Some of the important schemes of the Department being implemented are as follows:-

- a. Deendayal Disabled Rehabilitation Scheme (DDRS), envisages financial assistance to NGOs for education and rehabilitation of Persons with Disabilities.
- b. Scheme of Assistance to Disabled Persons for Purchase/Fitting of Aids/Appliances (ADIP Scheme), provides grant-in-aid to various implementing agencies (NGOs/National Institutes/DDRCs/ ALIMCO/State Handicapped Development

Corporations/other local bodies) for purchase/fitting of aids & assistive devices for the physical rehabilitation of PwDs.

- c. Scheme for Implementation of Persons with Disabilities Act (SIPDA), provides grant-in-aid to State Governments, organizations of Central/State Governments, including autonomous bodies and Universities, for creating barrier free access to their buildings; making websites accessible; early intervention; awareness generation, skill development etc.
- d. Umbrella scholarship schemes for students with disabilities such as Pre matric (class 9-10), Post matric (class 11 onwards upto P.G. level), Top class education, Studies at National level educational institution of repute, Fellowships (M.Phil and Ph.D), Overseas scholarships (for studying at reputed institutions abroad) and free coaching for preparing for competitive examination for admission into professional courses at reputed institutions and for employment.



1.17 The real challenge is achieving full accessibility, inclusion and empowerment for persons with disabilities. The Government (both Central and State) and various stakeholder need to work together to accomplish this task of making the "Right Real". The new Policy for persons with disabilities needs to address the following challenges to ensure their inclusion and empowerment:

- Changing the mindset and perception of the members of the society so as to have proper understanding of the problems of the persons with disabilities.
- Infusing self-esteem and self-confidence in the persons with disabilities themselves so that they know that their limitations can be overcome to a large extent by self-effort and better environment.
- Creating an accessible environment in built infrastructure, transportation system, ICT eco system and other facilities and services by adopting universal designing principles through appropriate technology adoption.
- Creating and managing disability specific disaggregated data in each sector be it health, education, poverty alleviation, law and order, sports, culture etc.
- Ensuring inter-operability of disability certificates for availing the benefits meant for PwDs across all States /UTs and Ministries/Departments.
- Improving the knowledge and skills of persons with disabilities to make them capable of handling different tasks in the employment market.

- Motivating various employers within and outside Government sector to employ the PwDs who can perform a number of jobs like other employees.
- Mobilizing the voluntary sector to actively participate in the capacity building and rehabilitation and empowerment for PwDs.
- Scaling the levels of training, education and research for the benefit of PwDs.
- Providing a mechanism for greater social security coverage and other arrangements for making PwDs live with dignity.
- Providing them with appropriate assistive devices and appliances at low cost to increase their accessibility.
- Involving PwDs in the decision making process at various levels for better policy formulation, monitoring and implementation
- Making all out efforts to comply with all the general principles contained in the UNCRPD.
- Resource mobilization at the State and Central level for undertaking disability specific inclusive activities.
- Providing appropriate mechanism at all levels for ensuring well-coordinated concerted efforts amongst various stakeholders.
- Coordinated efforts at reducing the disabilities.
- Promoting Inclusive education.
- Priority in health-care.
- Focus/ priority during natural/ national disasters.
- Ensuring the rights of PwDs.
- Equal opportunities at work and socio-cultural, work and recreational activities.
- Sensitization and awareness generation programme about the needs of PwDs.

1.18 There is also a need to synergize the Policy with the international instruments namely, UNCRPD, Incheon Strategy, Sustainable Development Goals and new domestic laws.

Chapter 2

Principles of this policy:

2.1 The purpose of this policy is to state the clear commitment of the Government to empowerment and inclusion of persons with disabilities and providing a detailed mechanism for creating an environment for their participation in the society. India being a party to the UNCRPD, it is essential to reflect the elements of the convention in the policy document in consonance with other international protocols/instruments such as 2030 agenda of Sustainable Development Goals, Incheon Strategy for Asia Pacific Decade for PwDs and Sendai Framework etc.

2.2 This Policy is based on the principles underline UNCRPD, Incheon Strategy and RPwD Act, 2016. The key principles adopted in the policy are:-

- Recognizes that persons with disabilities are valuable human resource
- Recognizes that the persons with disabilities are entitled to all rights and freedom equally with others.
- Recognizes also that the discrimination on the ground of disability is violation of inherent dignity.
- Recognizes further the diversity of persons with disabilities.
- Recognizes the need to promote and protect the human rights across all categories of persons with disabilities including those requiring high support.

- Recognizes the importance for persons with disabilities of their individual autonomy and independence and freedom to make their own choice.
- Recognizes that women and girls with disabilities are at greater risk and are prone to violence, abuse and exploitation.
- Recognizes that children with disabilities should have the freedom on equal basis at par with children without disability.
- Recognizes the importance of accessibility to the physical, social, economic and cultural environment, to health and education, sports and recreation and to ICT ecosystem in enabling PwDs to fully enjoy their fundamental rights and freedom.
- Notes that there are increasing opportunities for promoting and protecting the rights of persons with disabilities, including through the use of new technologies for enhancing the accessibility of the physical environment, public transportation, knowledge, information and communication.
- Recognizes the need for developing mechanism to involve persons with disabilities in decision making processes at every stage of planning and policy execution.
- Recognizes the need to create positive attitude towards persons with disabilities in the society.
- Realizes the importance of international cooperation for empowerment of persons with disabilities
- Emphasizes the need to provide a gender perspective thrust to promote inclusion and empowerment of persons with disabilities.
- Recognizes the greater role of Government in ensuring, promoting and upholding the rights of persons with disabilities and in

promoting the inclusion of disability dimensions in the development agenda in line with SDGs 2030.

- Emphasizing the use of Indian Sign Language as an effective mode of non verbal communication in line with the provisions of UNCRPD.

2.3 Vision of this policy

This policy envisions to build an inclusive society in which equal opportunities are provided for the growth and development of persons with disabilities so that they can lead productive, safe and dignified lives.

2.4 Mission

To empower persons with disabilities by way of:-

- i. Strengthening existing schemes and programmes for physical, education and economic empowerment.
- ii. Upgrading institutional framework
- iii. Promoting inclusive education, universal health coverage with priority to PwDs and early intervention
- iv. Promoting skill development, employment and participation in sports, cultural and recreational activities.
- v. Revising and developing new schemes and programs for rehabilitation and social security of PwDs.
- vi. Creating greater awareness
- vii. Creating accessible environment in physical infrastructure, transportation, ICT eco system and other facilities and services
- viii. Involving persons with disabilities in planning and decision making process in a big way

- ix. Formulating action plan for protection of human rights
- x. Creating a national database of PwDs and linking thereof with programme delivery mechanism, and
- xi. Capacity Development in the field of disability studies and rehabilitation sciences to ensure the number of trained professional manpower at all levels including at community level.

Chapter 3

Prevention, Early Identification and Intervention

3.1 Prevention

3.1.1 Prevention is better than cure. The Rights of Persons with Disabilities Act, 2016 emphasises prevention of disability through appropriate awareness measures, investigation, research and mother and childcare. Some of the disabilities such as disability caused due to blood disorders, neurological conditions could be prevented by sensitising the public about the causes of its occurrence.

3.1.2 Ministry of Health and Family Welfare implements various programmes for prevention and control of disabilities, which are:

- Universal Immunisation programme;
- National Programme for control of blindness;
- Pulse-polio programme;
- National Iodine Deficiency Disorder Control Programme;
- National Leprosy Eradication Programme,
- National Programme for Prevention and Control of Deafness;
- National Programme for Prevention and Control of Fluorosis.

3.1.3 National programme on prevention of disabilities currently being implemented by Ministry of Health and Family Welfare is focusing on traditional causes of disability. However, there are many other causes such as malnourishment, medical negligence, socio cultural factors, impairment caused by disasters etc. Moreover, with the addition of new disabilities under the RPwD Act, 2016, there is a growing need to develop strategy to prevent the new form of disabilities based on scientific research.

3.1.4 The Policy outlines the following prevention and early intervention strategy:-

- A comprehensive national programme on prevention of disability should be developed not only to take care of entire gamut of disabilities covered under RPwD Act, but also other medical conditions which are considered as risk cases that may manifest into any form of disability.
- There is a need to upscale research based survey on the occurrence of disability at different localities so as to workout appropriate socio-medical interventions to prevent such occurrence.
- The primary health workers, village level workers, Anganwadi workers, Asha workers, primary school teachers are required to be sensitised about the causes of disability and the means to prevent such occurrence. Community level sensitisation on these issues need to be undertaken by Health, Women and Child Development and Social Welfare Departments by the States/UTs.
- Regular training of Asha/ Aanganwadi workers should be imparted for early identification and rehabilitation of PwDs.

3.2 Early Identification and Intervention

3.2.1 As per Census 2011, there are about 20.42 lakh children in the age group of 0-9 years have some form of disabilities, i.e. either congenital or acquired.

3.2.2 Research studies have shown that early childhood (0-6 years) of a human life is the critical period that determines a person's ability to

reach her/his lifelong health, social and economic potential. This is the period when early symptoms of any deformities or risk cases can be detected and treatment/therapeutic intervention for achieving necessary preventive, corrective and rehabilitative response undertaken to prevent disability or lessen its severity.

3.2.3 There is a dire need to provide quality childhood intervention early in life which helps to develop the skills needed to enable it to lead an independent and dignified life.

3.2.4 Early Intervention Centre: An approach

Disability burden can be reduced through effective rehabilitation services and not just through medical care services.

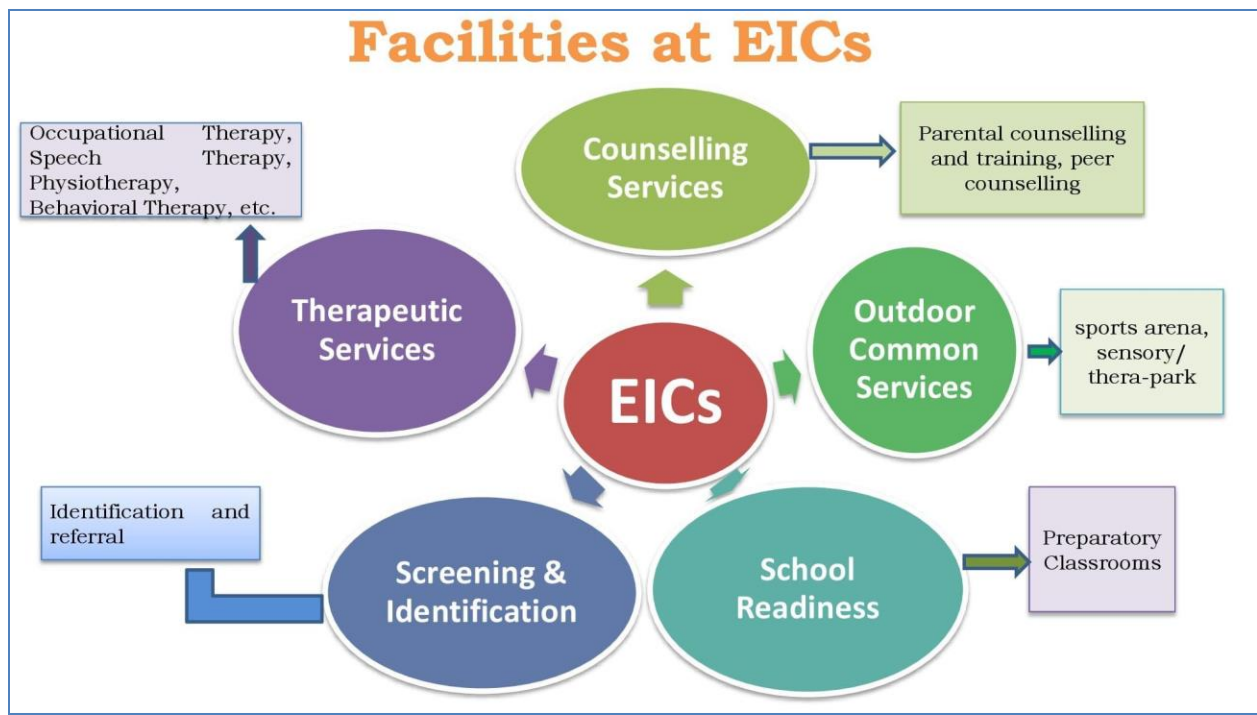
0-6 years of child being sensitive and critical phase of life, early identification and appropriate intervention at this stage is the key.

One-third of most disabilities in children are preventable, if detected early and with timely interventions.

Appropriate rehabilitative interventions can reduce the disability burden and enable participation at all levels independently.

Coordinated approach between health centers and rehabilitation institutions needed.

Disability being a State subject, involvement of State authorities in the process is crucial.



3.2.5 The policy provides for:-

- Developing a network of Cross Disability Early Intervention Centres (CDEICs) in every district to provide the following services in an accessible and appealing environment in a contiguous manner under single roof:-
 - ✓ Screening and identification with facilities for identification of risk cases and referring for appropriate rehabilitative services
 - ✓ Therapeutic services such as physiotherapy, speech therapy, occupational therapy, behavioural therapy etc
 - ✓ Parental and peer counselling and
 - ✓ School readiness facilities for communication & language development, physical development, personal, social and emotional development.
- These CDEICs need to be equipped with rehabilitation professionals and personnel such as clinical psychologist /

rehabilitation psychologist, special educator, activity teacher, nurse, paediatrician and therapeutic experts.

- The National Institutes, Composite Regional Centers and Regional Chapters of National Institutes under DEPwD should have Cross-Disability EICs in the first place. Gradually the network of EICs should be extended to all the districts across the country.
- The States/UTs need to play a vital role in setting up of these centers preferably adjacent to district hospitals/District Early Intervention Centre (DEIC) being run by the State Health Department or they may be made a part of the District Disability Rehabilitation Centres setup by them.
- All the EICs may be set up on the same principles, and common early intervention protocol to be followed.
- Interlinking of DEICs with EICs should be ensured.
- The EICs should also be given access to UDID portal for helping parents for assessment and certification of disability. These centers should be linked with Ali Yavar Jung National Institute of Speech and Hearing Disabilities, Mumbai for identification of beneficiary children with hearing disabilities for cochlear implants at the earliest opportunity.
- The EICs will be linked with ISLRTC, New Delhi for the purpose of providing early intervention and educational services in sign language to children with hearing disabilities & their parents.
- ASHA and Aanganwadi workers need to liase with the concerned EIC authorities for early reporting of risk cases as well as for sensstizing parents about availability of such facilities in the vicinity.

- There should be a nodal authority in every State/UT to oversee functioning of EICs.
- CDEICs to have all information about mother and childcare at pre-natal, peri-natal and post natal stages.
- CDEICs should be integral part of awareness measures at sub-district and village level.
- These Centres to serve as a training center for training to the staff of PHC/CHC level and ASHA/Anganwadi workers for home based rehabilitative care services.

Chapter 4

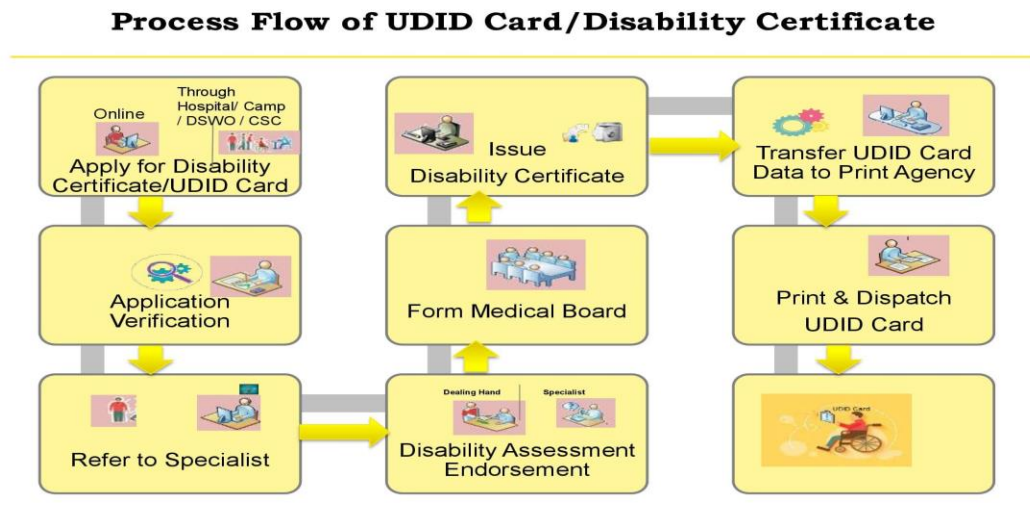
Certification of Disability

4.1 The Central Government notified the guidelines for assessment of specified disabilities covered under the RPwD Act 2016. These guidelines provide composition of Medical Authorities for assessment and certification process. For disability certification, various experts such as Ophthalmologist, ENT Specialist, Audiologist, Speech and Language Pathologist, Orthopaedic/PMR Specialist, Clinical Psychologist/ Rehabilitation Psychologist, Neurologist, Psychiatrist, Special Educator, Occupational Therapist etc are required at the district level.

4.2 As per the RPwD Act, 2016 and Rules made thereunder the competent Medical Authorities notified by the States/ UTs are empowered to issue Certificate of Disability.

4.3 The Central Government has launched the Unique Disability Identity (UDID) Project which provides an online platform for application and certification of disability. Online certification through UDID Portal is now made mandatory from 01.06.2021.

Flow Chart of UDID Card



4.4 As per Digital India 2021 data, there were 624.0 million internet users in India in January 2021, which implies internet penetration at 45%. This shows that 55% of the population does not have the access to internet. Keeping this in view, the process of application by the PwD or his guardian through offline mode will be continued. However it will be the responsibility of the District Medical Authority to upload offline application digitally through offline desktop application of UDID. The network of Common Service Centers for the purpose of application and downloading of certificates of the UDID Card will be widened.

4.5 The policy envisages the following measures for hassle free certification of disability:-

- The district medical authorities need to take steps to ensure that the certificate is issued within 30 days of receipt of the application.
- The States/UTs will take steps to ensure availability of specialist at every certifying healthcare institutions based on cluster

approach or through hiring of experts as per their economic capacity.

- States/ UTs may explore fixing one day in a fortnight for certification of disabilities at every certifying healthcare institutions.
- Every district hospital to have equipment and facilities for testing of blood disorders, assessment of locomotor, visual and hearing disability (BERA Test) etc. In addition sign language interpreter to be deputed at every district hospitals. This would minimize inconvenience to PwDs.
- The States/UTs need to take steps so as to ensure that PwDs need not have to visit more than twice for assessment and certification of disability.
- There are certain categories of PwDs who may not be in a position to move or it may not be possible to bring them to the hospitals by their families or near/ dear ones. Mobile disability certification teams to be constituted at the district level for conducting certification camps for speedy certification of disabilities at nearby locality.
- Complete digitisation of assessment process under UDID portal so as to ensure fairness and accountability in assessment of disability.
- UDID to be linked to all service delivery schemes and programmes.
- Close coordination between the authorities dealing with empowerment of PwDs and health at State and District level.

Chapter 5

Education

5.1 Education is critical for improving life prospects of persons with disabilities. In addition, socialization of children with disabilities (CwDs) through education, assumes an important role in our society where persons with disabilities face marginalization. However, despite the importance of education for persons with disabilities, educational index for children with disabilities is not very encouraging. Literacy rate among PwDs is about 55% which is lower compared to 74.04% for the population at large.

5.2 In India, education of children with disabilities started traditionally through special schools in the Seventies and in 1974, the first Scheme 'Integrated Education of Disabled Children (IEDC)' was introduced stressing the need for inclusion of children with mild and moderate disabilities in regular school settings. In 1986, the National Policy on Education brought the fundamental issue of equality for children with special needs to the forefront of education system. The objective of education, as per the said policy was to integrate physically and mentally disabled people with the general community as equal partners, to prepare them for normal growth and to enable them to face life with courage and confidence.

5.3 By mid 90s, the Government of India initiated the primary education program, with a sub-component of integrated education for the disabled, to universalize primary education. Enactment of PwD Act,

1995 which mandated free education for students with disabilities, was an important intervention concerning education for children with disabilities.

5.4 In the year 2001, the Government launched the Sarva Shiksha Abhiyan (SSA) with the objective of providing uninterrupted good quality education to children between the ages of 6-14 years, wherein, the education of children with special needs was an important component. The SSA adopted a zero rejection policy, implying that no child with special needs could be neglected, nor denied enrolment on the basis of disability concerns.

5.5 In 2005, the Government launched the National Action Plan for inclusion of children and youth with disabilities in education to ensure that no child is denied education in mainstream education. It also provides for home based learning for persons with severe, multiple and intellectual disabilities.

5.6 In 2007, India became a party to the UNCRPD. Article 24 of the said Convention mandates the Government to ensure that persons with disabilities are not excluded from the general education system on the basis of disability and reasonable accommodation is provided to meet individual's requirements to maximise academic and social development, consistent with the goal of full inclusion.

5.7 The Rights of Persons with Disabilities Act, 2016 which is in line with the spirit of the UN Convention, focuses on inclusive education, besides mandating the Government to ensure that children with

benchmark disabilities have access to free education upto 18 years of age in a special school or in a neighbored school as per their choice. The Act further elaborates specific measures to promote and facilitate inclusive education under Sections 16 & 17 of the Act, which inter-alia includes the following:-

- Admitting students with disabilities without discrimination;
- Making buildings, campus and various facilities accessible;
- Imparting education to students with disabilities in the most appropriate languages and modes and means of communication, provide transportation facilities to children with disabilities, including attendant of children with high support needs.
- Training of professionals, teachers and staff to support inclusive education at all levels of education.
- Promoting use of appropriate, augmentative and alternative modes of communication, including Braille and sign language.
- Supplementing daily communication needs for persons with speech, communication or language disabilities.
- Making suitable modifications in the curriculum and examination system to meet the needs of students with disabilities.
- Promoting research to improve learning.

5.8 National Education Policy, 2020 aims at equitable and inclusive education - learning for all. From the perspective of students with disabilities, the said Policy :-

- States that the objective of the education system should be to benefit India's children, so that no child loses any opportunity to learn and excel because of circumstances of birth or background.
- Recognizes the importance of creating enabling mechanisms for providing children with special needs or Divyang, the same opportunities of obtaining quality education as any other child.
- Emphasizes on measures such as peer tutoring, open schooling, appropriate infrastructure, and suitable technology interventions to ensure access to education, particularly for certain children with disabilities.
- Recommends adding pre-school sections covering at least one year of early childhood care and education to Kendriya Vidyalays and other primary schools around the nation particularly in the areas inhabited by disadvantaged groups in society.
- Priority to ensuring inclusion and equal participation of children with disabilities in Early Childhood Care and Education (ECCE).
- Advocates provision of resources in school/school complexes for the integration of children with disabilities, recruitment of special educators with cross disability training and for the establishment of resource centres whenever needed, especially for children with severe or multiple disabilities.
- Emphasizes provision of barrier free access for all children with disabilities as per the RPwD Act.
- Supports mechanism to suit the varying needs of different categories of children with disabilities to ensure their full participation and inclusion in the classroom.
- Stresses on the availability of assistive devices and appropriate technology based tools as well as adequate and language-

appropriate teaching-learning materials for children with disabilities.

- Prescribes NIOS to develop high quality modules to teach Indian Sign Language (ISL) and to children with hearing disabilities.
- Technology based solution to be used for the orientation of parent/care givers along with wide-scale dissemination of learning materials to enable them to actively support their children's learning needs.
- Encompasses awareness and knowledge on teaching skills for children with disabilities including children with learning disability to be an integral part of teacher education programme.
- Students to be sensitized by teachers, social workers and counselors to bring in an inclusive school curriculum.
- Continuity of common approach of equity and inclusion across school and higher education.

5.9 With the coming into effect of new National Education Policy and RPwD Act, 2016 there is a need to take affirmative actions accordingly to foster inclusive education. This policy aims at giving chance to every child with disability and leave no child with disability behind. The policy emphasizes on:

- The States/UTs will insert a provision regarding compliance of the provisions of RPwD Act, 2016 by educational institutions while recognizing/granting permission to them.
- Every District will have nodal officer to oversee admission of students with disabilities in inclusive school setup without discrimination.
- Many children with disabilities who cannot join inclusive

education will continue to get education services from special schools or through home based learning system. The ultimate objective of special schools/home based learning is to prepare children with disabilities to join the inclusive education.

- A system will be developed to monitor the progress of each child with disability based on learning outcomes.
- The Government will strengthen its scholarship scheme and expand the outreach. With a view to check dropout at lower classes, scholarships at primary level will be explored.
- Accessible e-content of all course curriculum and reference book material will be developed. Demo videos with sign language interpretation and audio description will be made available to make the learning process accessible.
- All the educational institutions will have accessible campus including accessible library and classrooms, toilets, auditoriums, etc.
- Disability specific course curriculum and evaluation system shall be developed.
- The Right to Education Act, 2009 should be aligned with the RPwD Act by including specific concerns of children with disabilities
- School eco system should be enriched by evolving all stakeholders in support of students with disabilities. Use of information technology for education of children with disabilities needs to be expanded. Training of teachers about the learning needs and inclusion of diverse learners should be taken on priority and teaching practices needs complete transformation in tune with NEP, 2020 and RPwD Act, 2016.

- Every Government/Government aided higher educational institution to ensure implementation of 5% of reservation for persons with disabilities and should have a liaisoning officer to guide students with disabilities.
- The Government through NCERT, **AICTE, UGC and other such bodies** will ensure periodic training of teachers to sensitize them about the needs of persons with disabilities, **use of sign language and** the issues of managing such children in an inclusive setup.
- Specific and adequate financial allocation in the education budgets should be made at the Central and State level. Such allocations should take care of the needs of aids and assistive devices including learning tools such as smartphones, laptops, etc to access digital education.
- There is a need to foster effective partnership involving Government, private sector, local community and civil society to overcome the stereotypes and create positive attitudes towards the abilities of children with disabilities both in the classroom and beyond for envisioning universal inclusive education.
- A joint mechanism for implementation of inclusive education should be worked out by the States/UTs considering the special needs of students with intellectual disability including SLD and Autism Spectrum Disorder in the way of periodical home based learning.
- To achieve the policy objectives, a coordination mechanism under Ministry of Education will be established for effective convergence of all education programmes for children and youth with disabilities.
- Ministry of Education will be approached to include Indian Sign

Language and closed captioning in their educational videos.

Chapter 6

Health

6.1 Health is considered as a complete state of physical, psychological and social well-being of a person and not merely an absence of disease. It is the primary indicator showing the extent a society is flourishing. Persons with disabilities, being one of the most vulnerable groups, health indicator of PwDs in any society reflects the degree of inclusiveness in the society.

6.2 Evidence suggests that globally the PwDs experience difficulties in accessing healthcare either in general or specialized healthcare as compared to those without disabilities. The underlying impairments of PwDs can create higher healthcare needs. They may need specialized treatment in order to optimize functioning and reduce disabilities which include medication, surgery, assistive devices and therapeutic rehabilitation.

6.3 Another key concern is that PwDs often incur greater cost when seeking healthcare which may drive them further into poverty. Children with disabilities having congenital disabilities experience multiple health conditions requiring help from a broad range of medical and rehabilitative experts besides the need for immunisation and other routine medical care.

6.4 Cost of transportation, inaccessible physical building, poor fitting of hospital equipment, discrimination and stigma from hospital staff can often be attributed as significant barriers for PwDs in accessing health care services

6.5 There are also concerns about the quality of healthcare services for PwDs due to lack of skill and knowledge of health professionals or absence of accessible equipment which are key to disability specific needs. Thus there is a need to have greater focus on PwDs to achieving universal health coverage which aims at ensuring access to health services for the whole population including all the services that each segment of the society needs i.e. preventive, curative, rehabilitative, promotive and palliative care without incurring financial hardship.

6.6 Article 25 of the UNCRPD mandates the signatory parties to take measures to promote health of PwDs in order to:

- Provide same range, quality and standard of free or affordable healthcare to PwDs as provided to others including the area of sexual and reproductive healthcare
- Provide specific health services needed by PwDs owing to their disabilities.
- Provide health services at community level, and

6.7 The Incheon Strategy for Asia Pacific Decade for PwDs focuses on increased access to all healthcare services including rehabilitation for all PwDs, personnel assistance and peer counseling for those with multiple, extensive and diverse disabilities to enable them to live independently in the community.

6.8 In recent years WHO has provided a lot of push to improve life of PwDs after publishing the First Global Report in 2011, which has brought paradigm shift in dealing with PwDs i.e., from a medical/charity based approach to one based on human rights and equal dignity with others.

6.9 Union Ministry of Health and Family Welfare being the nodal Ministry on the health issues implements mission mode project for universal health coverage which is inclusive of PwDs. This inter-alia includes National Health Mission, National Mental Health Programme etc. However, the coverage of PwDs under the programme has not been optimized.

6.10 The Rights of Persons with Disabilities Act, 2016 mandates the Government to ensure that the lower income group of persons with disabilities should have access to free healthcare services near their community especially in rural areas. It also mandates priority in attending to PwDs for their treatment in healthcare institutions besides mandating accessible healthcare facilities. It also provides for appropriate reproductive healthcare services for PwDs and prohibits any medical procedure on PwDs leading to infertility. It also lays thrust on raising awareness among PwDs and community towards their reproductive rights.

6.11 The National Mental Health Programme also faces challenges in implementation. The Mental Healthcare Act, 2017 provides a monitoring and implementation mechanism through state/national

mental healthcare authorities and state boards.

6.12 The Government has launched Ayushman Bharat - PradhanMantri Jan ArogyaYojna (AB-PMJAY) which aims to cover 500 million persons, approximately 100 million families with an annual insurance coverage of Rs. 5 lakh per family. This programme is being implemented through a network of hospitals spread across almost every district of the country. As of now, it is available to all citizens who are included under socio economic caste census. Therefore, universal coverage of all PwDs within the ambit of census seems to be a distant objective.

6.13 With a view to promote health among persons with disabilities, the policy mandates the following:-

- A targeted mission should be launched to ensure PwDs get health services that are accessible and affordable.
- The National Health Programme should include disability as an important component and health infrastructure should be strengthened upto PHC/CHC/Health and Wellness Centers so as to enable these healthcare institutions at sub district/block/village level to cater to the health and rehabilitation needs of PwDs in the community.
- M/o Health and Family Welfare needs to sensitize the state and national mental health authorities about the rights of persons with mental illness, in terms of RPwD, 2016. Further there should be close coordination between social welfare departments, state commissioners for PwDs and mental health authorities.
- AYUSH is gradually emerging as an alternative to modern

medicine to bolster and motivate traditional healthcare system available in India. Ayush research and care activities should be oriented to engage with disability more actively with an attempt to find solutions for disability care and treatment based on traditional Indian system of healthcare.

- MBBS and other medical courses should include a module on disability that can be developed in consultation with rehabilitation professionals and PwDs.
- The AB-PMJAY should be aligned with the objective of the RPwD Act. The Programme should aim at universal coverage of PwDs including provision of therapeutic services for PwDs.
- Given the objectives of the RPwD Act, 2016 and the obligations due to signing of UNCRPD, the National Health Programme should be upscaled to take care of disability specific healthcare needs.
- PwDs should be involved at the time of planning and developing healthcare programmes for effective outcome.
- Disability specific health research should be given adequate focus with an objective of prevention of disability, latest technological intervention for the treatment and improved mobility including home based therapeutic solutions. There is a need for synergy of research conducted by ICMR, CISR, IITs and other institutions.
- All healthcare institutions should be linked to a common database of PwDs under UDID project and a mechanism needs to be developed for progress of disability specific health status across the country. This would help in making appropriate course corrections for implementation of national and state level health programme.

Chapter 7

Skill Development and Employment

7.1 Employment is key to economic empowerment and self-reliance. Article 27 of the UNCRPD recognizes the right of PwD to work on equal basis with others that includes the right to opportunity to gain a living by work chosen freely. It prohibits discrimination in employment including conditions of recruitment on the basis of disability. It also mandates creation of conducive environment for PwDs to enable them to have access to vocational training programme, placement services, self-employment opportunities, entrepreneurship etc.

7.2 The RPwD Act, 2016 mandates the Government to frame schemes and programmes including provision of loans at concessional rate to facilitate and support employment of PwDs especially for their vocational training and self-employment. Such schemes and programmes need to focus on inclusion of PwDs in all mainstream formal and non-formal vocational and skill training with active link to market and promoting marketing of products made by PwDs.

7.3 The Act also prohibits discrimination in employment in establishments on the grounds of disability. It provides for publication of equal opportunity policy by every establishment and maintenance of records of employees with disability and facilities provided to them in a systematic manner. The Government establishments are also mandated to appoint grievance redressal officer for addressing the concerns of employees with disability.

7.4 The Act provides for not less than 4% reservation for persons with benchmark disabilities in Government establishments. As regards private establishments, it is for the Government to provide incentive to private employers to promote appointment of PwDs in their organisations.

7.5 Despite the provisions in the RPwD Act, 2016, there are several barriers for PwDs to enter the employment market. Challenges range from lack of proper education and training, lack of financial resources, nature of the workplace and employer's perception of the ability of PwDs. Negative attitude towards employees with disabilities can result in discrimination. This negative attitude comes from negligence, ignorance, stereotyping, backlash and fear. Many employers also assume that co-workers may react negatively if PwDs are hired into the Organization.

7.6 There are also instances where PwDs often shy away from applying for certain jobs fearing social stigma. There is also perception among PwDs that they may be treated differently post entry into organization. In the absence of an effective integration process, a conducive environment in an organization for inculcating inclusive culture will be unrealistic.

7.7 Some of the constraints PwDs face in employment market are lower literacy level, lack of daily living skills, lack of self-esteem and confidence, overprotective parents, lack of basic trade skills, poor knowledge of language, health issues, rural disconnect from market

and preference for government jobs.

7.8 Key actors in employment of PwDs are, therefore, PwD themselves, government establishments including local bodies, corporate houses, industry bodies and associations of PwDs. Each of the stakeholder needs to work together to overcome the challenges to foster employment of PwDs.

7.9 The following steps will be taken by the Government for promoting employment of PwDs in Government and private Sector:

- A dedicated national level employment portal for PwDs will be developed with all advanced accessible features to meet the highest standard of accessibility. This portal will have all information such as skill training available at different locations, vacancies in different industry houses including government agencies, nature of job and workplace, eligibility criteria, recruitment process, counseling services etc. This portal will serve as a one stop shop for employment opportunities for PwDs. This portal will also serve as a knowledge repository for employment of PwDs.
- Every government and private establishment will report their vacancies and other details to M/o Labour and Employment for updating in the portal as and when advertisement is issued by them.
- The above portal will also act as a virtual employment exchange for PwDs by providing an additional facility of registration of PwDs with their UDID number.
- An intensive social campaign will be undertaken to sensitize the

employment ecosphere that is PwDs, their families, corporate & industry houses, Government authorities, local authorities. Similar exercise should be undertaken by the States/UTs at their level.

- Though the Central Government launched National Action Plan for Skill Development of PwDs since 2015-16, the campaign needs to take off on a large scale. Implementation strategy of the NAP will be revisited in consultation with PwDs and industry/corporate houses. E platform for skilling of PwDs will also be explored. Such E platform will be interactive in nature and will also provide counseling services in matters related to skill training.
- The Department of Personnel and Training will need to strengthen its portal for capturing information relating to recruitment of PwDs in Central Government establishments. Every Central Government establishment will have to submit updated information by 15th January every year about category wise employment of PwDs. Similar action should be taken by all States/UTs through their General Administration Departments.
- Data on employment of PwDs will be available on website of each central government Ministry/Department and updated on quarterly basis.
- The Department of Personnel and Training will develop an equal opportunity policy to be followed uniformly across all central government enterprises. Similarly, The Deptt of Public Enterprises and the Deptt of Financial Services will develop equal opportunity policy for CPSUs and PSFIs respectively. The States/UTs will also take similar steps in this regard.
- With a view to create conducive environment at workplaces for

PwDs, the workplace will be made accessible with appropriate technology and assistive device support. As regards Govt establishments, DoPT will take steps for providing facilities to employees with disabilities in Govt establishments including addressing the issues such as special leave, preferential posting transfer, aids and assistive devices to enhance work efficiency.

- In-service training of officers and staff of Government establishments both at central and state levels down to district and panchayat levels will be undertaken periodically for sensitizing them about the provisions of law, recruitment process, data management related to employment of PwDs.
- National Handicapped Finance Development Corporation implements schemes for financial assistance for skill and entrepreneur development program for persons with disabilities in the age group of 18-59 years. It also provides loans at concessional rate of interest to persons with disabilities for promoting self employment. NHFDC will have to play a key role and will be the focal point for implementing the skill development program for PwDs.
- The Government vocational training centres for persons with disabilities operating in the country will be a part of the vocational and skilling network for providing skill training. Efforts will be made to develop capacity in training of trainers in association with National Skill Development Corporation and Sector Skill Council for Persons with Disabilities.
- The Small Industries Development Bank of India (SIDBI) is the nodal public central bank for providing subsidised loan facility for startups. SIDBI Startup Mitra is a digital initiative of SIDBI to

address the gaps in the Startup eco system. It acts as a virtual platform to bring together all stakeholders, startup entrepreneurs, incubators, investors, industry bodies, banks to meet the financing and developmental needs of early age startup enterprises. NHFDC should be a part of this digital initiative for taking a lead role in facilitating startup requirement of skilled persons with disabilities. There should be a close coordination between SIDBI, NHFDC and NSDC.

- Providing startup solutions alone to persons with disabilities may not be sufficient in promoting entrepreneurship among PwDs. It would also be important to establish a network of marketing facilities for the products of persons with disabilities. NHFDC will develop a network to facilitate marketing of products of PwDs across the country through its skill training/financing partners and establish a chain for sale of these products. Possibility of tying up with e-marketing giants will be explored to maintain continuous and uninterrupted sale of products made by PwDs.
- Success stories of self-entrepreneurship among PwDs will be highlighted across all media platforms to inspire them and their families.

Chapter 8

Sports, Culture and Recreation

8.1 Sports are considered to be a unique platform that transcend linguistic, cultural and social barriers, paving the way for inclusion and adaptation. Universal popularity of sports makes an ideal tool for fostering inclusion and wellbeing of PwDs. Sports can help reduce the stigma and discrimination associated with disability by transforming community attitudes about the abilities of PwDs. Further, sports can change PwDs in equally profound way by empowering them to realize their full potential. They also teach individuals to communicate effectively and foster cooperation and respect for each other. The power of sports as a transformative tool is of particular importance for women with disabilities who often experience discrimination on the basis of gender and disability. It is estimated that only 7% of women with disabilities are involved in sports, globally. Therefore, by improving inclusion of PwDs, sports can help advance the Sustainable Development Goals (SDGs).

8.2 India's participation in Para Olympics dates back to 1968. India has been continuously participating in summer Para Olympics since 1984. So far, India has bagged 12 medals in Para Olympics. In the last Para Olympic held in 2021, India won 19 medals including 5 gold. India has been doing exceptionally well in Special Olympics. Similarly, India have been participating in deaf Olympic since 1971. India has bagged total 39 medals in Deaflympics which includes 18 Gold, 8 Silver and 13 Bronze.

8.3 In blind cricket also, India has been doing exceedingly well and currently India is the champion of World Blind T20 and One Day International Cricket.

8.4 Universal brotherhood is in built into our ethos and culture. However, when it comes to inclusion of PwDs, there is a strong need to propagate our ethos for cultural integration. A society is considered to be progressive if it is open to all in respect of all spheres of life. Culture and recreation bolster the image of inclusivity by enabling participation of PwDs.

8.5 Article 30 of the UNCRPD mandates the State parties to take appropriate measures to ensure that PwDs:

- Develop and utilize their creative, artistic and intellectual potentials
- Are encouraged and promoted to participate in mainstream sports activities at all levels
- Have an opportunity to organize, develop and participate in disability specific sports activities
- Have access to services from those involved in the organization of recreational, tourism, leisure and sports activities
- Enjoy access to cultural material in accessible format
- Enjoy access to TV programmess, movies etc.
- Enjoy access to places for cultural performance such as cinema, library, museum etc

8.6 The RPwD Act, 2016 mandates the Government to take measures to ensure effective participation of PwDs in sports activities which inter-alia include:

- Sports authorities to accord due recognition to rights of PwDs to participate in sports
- Restructure course and programmes to ensure access, inclusion and participation of PwDs.
- Redesign and support infrastructure facilities
- Promote and organize disability specific sports events.

8.7 The Act also provides for participation of PwDs in cultural and recreational activities which inter-alia include

- Facilities, support and sponsorships to artists and writers with disabilities
- Establishment of disability history museum
- Making arts accessible
- Promoting recreation centers and other associational activities
- Developing technology to facilitate access and inclusion of PwDs in recreational activities including access to TV programmes.

8.8 For promoting sports, the Government is committed to providing quality infrastructure in terms of training facilities for sportspersons with disabilities. In this regard, the Govt is setting up a Center for Disability Sports at Gwalior with a view to provide world class infrastructure for Divyang sportspersons so that they can compete effectively and win medals for the country in various international events like Paralympics & special Olympics.

8.9 Keeping in view the mandate of RPwD Act, 2016 and UNCRPD, the policy envisages:

- Setting up of dedicated disability sports centers, one in each zone, with state of the art facilities for training of PwDs with residential support.
- Ensuring accessibility of all the mainstream sports facilities under the M/o Youth Affairs and Sports and Sports Authority of India. Dedicated time slots be fixed on each day for training and participation of PwDs in these facilities.
- Encouraging Paralympic games at the district, state and national levels.
- Acknowledging and rewarding PwD winners in Paralympics, Deaf Olympics, Special Olympics & National and State level championships.
- Facilitating PwDs for procurement of sports equipment.
- Involving PwDs in framing schemes meant for promoting sports participation amongst persons with disabilities.
- D/o Culture to develop a scheme for promoting fine arts and performing arts amongst PwDs.
- Acknowledging and propagating the literary work of PwD and propagated at all levels.
- Up scaling cultural programmes like Divya Kala Shakti. It will not only be limited to dance and music but fine arts, painting, sculpture etc will also be included in future.
- Cultural programme involving persons with disabilities may be held at State/District level which would create positive attitude towards abilities of Divyangjan among families and public. Public

Sector Undertaking such as BHEL, NTPC, ONGC etc may promote disability inclusive cultural programmes.

- Making cinema halls, theaters, malls, fun parks accessible for PwDs and also museums and tourist places.
- Short documentary film “Chhunle Ashman” incorporating various Government initiative, ADIP Camp, provisions of RPwD Act, impact of various schemes for making PwD self-reliant, success stories of Divyang entrepreneurs/ paralympians, Services available at NIs/CRCs etc may be developed.
- Efforts may be made to include a ‘Tableau’ of the Department showcasing initiative for empowerment of Divyangjan in 26 January parade.

Chapter 9

Accessibility

9.1 Accessibility is about giving access of a product, service or facility to the individual. This implies whether all users are able to access an equivalent user experience when they encounter a product, service or facility. When we consider the PwDs, accessibility draws significance as it is the primary tool for their empowerment and inclusion.

9.2 The concept of barrier free design dates back to 1950s at global level when its applicability was understood with respect to built environment. Slowly, other dimensions of accessibility such as transportation and ICT ecosystem were considered as part of the concept of design for all.

9.3 The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, for the first time prescribed limited accessibility features such as ramps, lifts with Braille and auditory signals and adaptable toilets in public buildings, more specifically in hospitals, primary health centres and other medical care and rehabilitation institutions. Partial coverage of roads and transportation system was also envisaged. The Act neither provided for prescription of standards of accessibility nor any timeline for their compliance.

9.4 The discourse on accessibility underwent a sea change with the coming into force of the United Nations Convention on Rights of Persons with Disabilities (UNCRPD) in May 2008, which is based on the social

model of disability. Article 9 of the Convention deals with accessibility. It mandates the Member States to take measures to eliminate obstacles and barriers to accessibility, especially in the following:

- Buildings including schools, residential houses, hospitals and workplaces, roads , means of transportation and other indoor and outdoor facilities;
- ICT ecosystem including electronic devices and other services;
- Promulgate and monitor minimum standards of accessibility;
- Provide buildings and other facilities open to public with signage and braille;
- Provide training to stakeholders on accessibility issues;
- Ensure access to information; and
- Promote design, development and distribution of accessible ICT and System

9.5 India became a party to the Incheon Strategy on Asia Pacific Decade for Persons with Disabilities: 2013-2022. Goal 3 of this Strategy lays thrust on creation of barrier free environment for persons with disabilities. It aims at enhancing access to physical environment, public transportation, knowledge, information and communication. It also emphasizes that accessibility of urban, rural and remote areas based on universal design increases safety and ease of use not only for PwDs but also for other members of society.

9.6 With a view to prioritizing accessibility culture in the country, the Accessible India Campaign (Sugamya Bharat Abhiyan), launched in December, 2015 by DEPwD incorporates the philosophy of the social model of disability as incorporated in the UNCRPD and Incheon

Strategy and expanded the scope of accessibility along with its coverage. It envisages provision of accessibility in all facets in public buildings, transportation and ICT eco-system.

9.7 Further, the Rights for Persons with Disabilities Act, 2016 (RPwD Act) gave impetus to provision of accessibility. The Accessible India Campaign thus serves as an instrument for actualizing the aims of accessibility embedded in the Act. The output of Accessibility India Campaign is being periodically reviewed to improve outcomes through targeted interventions.

9.8 The Accessible India Campaign has the following three dimensions of accessibility:

9.8.1 Built Up Environment:

The objective is to enhance the proportion of accessible government buildings by making provision for features such as steps and ramps, tactile paths in corridors, wide entry gates, reserved parking and toilets, to name a few.

9.8.2 Transportation System:

The focus is on providing equal rights to travel and use of public as well as private modes of transportation. Airports, Railway Stations and Bus Terminals as well as Carriers (Railway coaches and Buses) and related services such as ticket booking, enquiries, booking status, booking of special assistance, etc. are being developed to provide barrier free services.

9.8.3 Information and Communication Technology (ICT) Ecosystem:

With the increased dependence on digital and virtual services, the Accessible India Campaign is also promoting accessibility in websites, public documents and media content on TV while also working towards training of sign language interpreters. The key objectives are enhancing proportion of accessible and usable public documents and websites that meet internationally recognized accessibility standards, enhancing the pool of sign language interpreters and enhancing the proportion of daily captioning and sign-language interpretation of public television news programmes.

9.9 The RPwD Act, 2016 mandates the Government to frame accessibility norms in respect of built up environment (public buildings), transportation system, ICT eco system and other facilities and services. Further, the Government is also required to take measures to provide accessibility features at bus stops, railway stations, airports and also ensure accessible roads to address mobility necessary for PwDs. It also mandates the Government to take measures to ensure that all content available in audio, print and electronic media and electronic/consumer goods are available in universal design.

9.10 As per the provisions of RPwD Act, 2016, Central Government notified the RPwD Rules in June, 2017 *inter-alia* laying down the Rules containing accessibility standards for public buildings, passenger bus transport, websites and documents to be placed on websites.

9.11 For the purpose of effective and real time monitoring of progress of targets under AIC, the MIS portal was launched in September 2019. Further, Sugamya Bharat App, a Crowdsourcing Mobile Application was launched on 2nd March 2021. This App is a means for

crowdsourcing of accessibility related problems being faced by Public and enhancing accessibility in the built environment, transportation sector and ICT ecosystem in India by resolving complaints received. This App would enable Divyangjan and general public to bring to notice accessibility-related issues that require redressal. The vision and direction for this crowdsourcing App is based on Jan-Bhagidari for improving accessibility in our country. ACCESS-The Photo Digest, an Accessibility guidebook, for enhancing understanding of the requirements and specifications of Accessibility among professionals, government officials and officers/architects/engineers of various executing agencies has been launched.

9.12 The policy outlines the following measures to create a barrier free environment for PwDs enabling them to have an equal access to all facilities and services as that of others:

- All local body building bye-laws will incorporate accessibility standards specified under the harmonised guidelines for barrier free environment and space standard for PwDs and elderly or those specified under National Building Code.
- All the Central Ministries/Departments and States/UTs will ensure that every new public building conforms to the accessibility standards at the planning stage and the cost estimate will take into consideration accessibility features as per applicable norms.
- The architectures and civil engineers and their associations will be sensitized so as to ensure inculcation of accessibility as well as universal design culture in all public infrastructure.
- The curriculum for engineering such as civil, electrical, mechanical, electronics, computer science, architecture, town planning,

instrumentation, IT etc should have a component of accessibility and universal design.

- The States/UTs will work out an action plan for making all their existing buildings accessible in a time bound manner.
- All new passenger buses will have accessibility features and the existing passenger buses will be phased out in a time bound manner.
- Efforts will be made to promote accessible passenger car for PwDs and accessible cab facilities will be made available at the airports, railway stations, bus stops etc. Drivers of such vehicles will be sensitized **and trained** about the needs of PwDs.
- Efforts to be made to make Railway including metro coaches, platforms and services being offered inside the train and platforms accessible for PwDs in a time bound manner.
- All the International/Domestic airports will have to meet the accessibility norms. All new airports or upgradation of airports will have to incorporate universal designing principles. The services in the airport including facilities at screening and security check up and boarding & de boarding facilities should comply with accessibility norms. M/o Civil Aviation will issue comprehensive guidelines for compliance by airport authorities and airlines.
- The Ships vessels, ports, dockyards, jetties and inland water terminals will have accessibility features on the principle of universal design for seamless use by PwDs.
- All websites, both government and private will meet the Govt. of India Guidelines as amended from time to time. At the time of granting security clearance for hosting any new website MeITY will

develop a system of checking compliance with the accessibility standards.

- All mobile apps which are relevant for use of public in general should comply with accessibility standards.
- All TV content, films, documentaries and videos will have sign language interpretation or close captioning facilities for persons with hearing impairment and audio description for persons with visual impairment.
- M/o Information and Broadcasting will issue guidelines to all broadcasters to conform to the accessibility standards while broadcasting their programmes.
- All the concerned Ministries/Departments will issue guidelines containing the accessibility standards in respect of the facilities and services being covered under their domain in a time bound manner.
- The domain regulators such as Real Estate Regulatory Authorities (RERA) in respect of public buildings and the Telecom Regulatory Authority of India (TRAI) in respect of telecommunications will be responsible for ensuring compliance of these standards. Such Ministries/Departments where there is no specific domain regulator will be responsible to develop mechanism to ensure compliance of these standards.
- **MoRTH will issue necessary guidelines for making modification in the personal vehicles being used by persons with disabilities as per requirement.**
- Use of sign language interpretation in meetings being organized by States/UTs and other Ministries/Department should be mandatory.

Chapter 10

Disaster Management

10.1 Disaster is an unforeseen event, which can overwhelm the capacity of the affected people to manage its impact. Though disaster has impact on everybody's life persons with disabilities experience the impact of disasters and climate change disproportionately. They are more adversely impacted than the general population because their condition exposes them to various additional risks due to their physical and mental limitations. The impact can be reduced by putting in place measures for immediate evacuation and rescue. Disaster management efforts aim to reduce or avoid the potential losses from hazards, assure prompt and appropriate assistance to the victims of a disaster, and achieve a rapid and effective recovery.

10.2 There has been an increase in the number of natural disasters over the past years, and with it, increasing losses, on account of urbanization and population growth, as a result of which the impact of natural disasters is now felt to a larger extent. According to the United Nations, in 2001 alone, natural disasters of medium to high range caused at least 25,000 deaths around the world, more than double the previous year, and economic losses of around US \$ 36 billion. These figures would be much higher, if the consequences of the many smaller and unrecorded disasters that cause significant losses at the local community level are taken into account.

10.3 The new approach to disaster management started with the conviction that development cannot be sustained unless mitigation is built into the development process. Another cornerstone of the approach is that mitigation must be multi-disciplinary, spanning across all sectors of development. The new policy also emanates from the belief that investments in mitigation are much more cost-effective than expenditure on relief and rehabilitation. Disaster management occupies an important place in India's policy framework, as poor people are the worst affected by disasters.

10.4 The steps being taken by the Government emanate from the approach outlined above. The approach has been translated into a National Disaster Framework (a roadmap) covering institutional mechanisms, disaster prevention strategy, early warning systems, disaster mitigation, preparedness and response, and human resource development. The expected inputs, areas of intervention and agencies to be involved at the National, State and district levels have been identified and listed in the roadmap. This roadmap has been shared with all the State Governments and Union Territory Administrations. Ministries and Departments of the Government of India and the State Governments/Union Territory Administrations have been advised to develop their respective roadmaps taking the national roadmap as a broad guideline. There is, therefore, now a common strategy underpinning the action being taken by all the participating organizations/stakeholders.

10.5 As regards PwDs, emphasis has been laid on protecting them from the impact of disaster through effective disaster reduction and

management. At the global level, UNCRPD, Incheon Strategy and Sendai framework have mandated effective strategies both with regard to disaster risk reduction and its management. Article 11 of the UNCRPD deals with situation of risks and humanitarian emergencies in respect of PwDs. It mandates the State parties to take all necessary measures to ensure protection and safety of PwDs in situations of risk, situations of armed conflict, natural disaster and humanitarian emergencies.

10.6 Goal 7 of the Incheon Strategy aims to ensure disability inclusive disaster risk reduction and management. Its targets are to strengthen disability inclusive disaster risk reduction planning and to strengthen implementation measures on providing timely and appropriate support to PwDs in responding to disasters.

10.7 The Sendai Framework for Disaster Reduction (2015-2030) which was adopted at the Third UN World Conference on Disaster Risk Reduction held in March 2015 provided an action-oriented framework for disaster risk reduction. Sendai Framework recognizes that while the States have the overall responsibility for reducing the disaster risk, it is a shared responsibility between governments and stakeholders. The governments are supposed to encourage PwDs and their organizations who are critical in the assessment of disaster risks so as to design and implement plans tailored to the specific requirements of various class of PwDs taking into consideration, *inter-alia* the principles of universal design.

10.8 Goal 11 of Sustainable Development Goals relates to making cities and human settlements inclusive, safe, resilient and sustainable. Target 11.5 of the said goal envisages reduction of loss of 1% of GDP, caused

by disasters with focus on protecting the poor and people in vulnerable situations. SDG Target 1.5, 9.1, 11.2, 11.7, 13.1 and 13.3 also indicates inclusive disaster risk reduction and management.

10.9 Dhaka Conference on Disability and Disaster Risk Management held in December 2015 emphasized on meaningfully engaging PwDs and their organisations for implementation of Sendai framework for disaster reduction and enhancing collaboration among governments and stakeholders.

10.10 In India, Disaster Management got legal backing after enactment of National Disaster Management Act, 2005 which paved the way for setting up of disaster management authorities at district, state and national levels. The Government has also developed a specific Standard Operating Procedure (SOP) on Disaster Management for PwDs to ensure their evacuation and resettlement during the time of situations of risks. In September, 2019, National Disaster Management Authority formulated "Guidelines on Disability Inclusive Disaster Risk Reduction", which contain broad strategy to manage crisis situations in coordination with various stakeholders at all levels, Governmental and non-Governmental.

10.11 Section 8 of the Rights of Persons with Disabilities Act, 2016 deals in detail with protection and safety of persons with disabilities during emergency situation. National, State and District Disaster Management authorities have been mandated to inform and involve persons with disabilities in the disaster management plan. State Commissioners for PwDs have been given an important role to coordinate with these authorities.

10.12 DEPwD in March, 2020 circulated its Comprehensive Disability Inclusive Guidelines to all States/UTs and the Central Ministries/Departments to protect the interests of persons with disabilities during COVID pandemic. While the Central and State Governments rose up to the occasion, a number of lessons were learnt in view of uniqueness of this disaster. Unlike in case of cyclones and earthquake where relief measures are allowed unrestricted, in the case of COVID 19 pandemic, while there is demand for help, there is also need for strict compliance of precautionary measures like social distancing.

10.13 The policy envisages:-

- Ensuring preparedness during normal times with proper coordination with various stakeholders.
- Sensitization of local level authorities in handling persons with disabilities and their specific requirements.
- Active role of State Commissioners of PwDs and District level authorities in maintenance of basic data, list of voluntary organisations and disability associations, protocols in management of food, medicine, hospitalisation, etc.
- Involvement of persons with disabilities and their associations in planning, implementation and monitoring of disaster risk reduction.
- Declaring a focal point for inclusive DRR for state level, regional organisations working for PwDs and other organization working on disability. A system of collaboration between the focal points will also be established by NDMA.

- Collecting sex, age and disability segregated data by disaster management authorities at district, state and national level.
- Conducting regular audits to ensure that all services related to disaster risk management are accessible and usable by NDMA/SDMA.
- Training of manpower in the field of disaster risk reduction in the context of implementing disability inclusive DRR by NDMA/SDMA.
- Priority to PwDs for evacuation in disaster situations and relief under disaster management fund.

Chapter 11

Social Security

11.1 Social Security is primarily a system of protection of individuals who are in need of it from the State. Such protection is relevant in contingency situations like retirement, death, retrenchment, disablement which are beyond the control of individual members of the society.

11.2 The ILO concept of social security is based on the recognition of the fundamental social right guaranteed by law to all human beings who find themselves unable to work temporarily or permanently for reasons beyond their control. It recognized the right to social security for the first time. Subsequently, the UN General Assembly, while adopting the Universal Declaration on Human Rights also guaranteed that every member of the society has a right to social security.

11.3 India being a Welfare State, social security is an essential component of Government policy. As per Article 41 of the Constitution of India, the State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.

11.4 Article 28 of the UNCRPD mandates the State to take steps to make the provisions for persons with disabilities :

- adequate standard of living for PwDs and their families, including adequate food, clothing and housing;
- equal access to clean water services;
- access to appropriate and affordable services, devices and other assistance for disability-related needs;
- access, particularly to women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;
- access to assistance from the State with disability-related expenses, including adequate training, counseling, financial assistance and respite care;
- access to public housing programmes; and
- equal access to retirement benefits and programmes.

11.5 Goal 4 of the Incheon Strategy focuses on strengthening of Social protection. It specifies that social protection programmes should not be limited to regular and formal employment programme. It would be crucial to ensure that PwDs have access to social

protection on an equal basis with others. The Sustainable Development Goals, 2030 aim to eliminate poverty, hunger and to achieve food security and improved nutrition.

11.6 The Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995 only provided for insurance schemes for employees with disabilities and unemployment allowance for persons with disabilities who have not been engaged in any gainful employment. The RPwD Act, 2016 covered a wide range of social security measures for empowerment of persons with disabilities in line with UNCRPD. These *inter-alia* include:

- disability pension
- community centers with good living conditions
- facilities for PwDs/CwDs who have no family or are abandoned or are without shelter or livelihood
- support to women with disabilities for livelihood and upbringing of their children
- provision of aids and assistive devices, medicine and diagnostic devices , and corrective surgeries free of cost
- caregiver allowance

11.7 The Union Ministry of Rural Development has been implementing National Social Assistance Programme which *inter-alia* provides disability pension to persons with severe disabilities in the age group of 18-79 years.

11.8 The State Governments/UTs, on their own, have been topping up their contribution towards disability pension provided by the Central Government. The quantum of disability pension varies from Rs. 300 to Rs. 3500, from State to State, depending on their economic capacity.

Few States are also providing unemployment allowance to persons with disabilities.

11.9 National Policy statement outlines the following for ensuring coverage of all persons with disabilities under social security programmes:

- Encouraging State Governments/UTs to develop appropriate social security policy for persons with disabilities.
- States/UTs to consider universal coverage of PwBDs under disability pension scheme subject to their economic capacity and development.
- Covering all persons with disabilities under food security programme.
- Provision of community centers for providing shelters with food and clothing facility to homeless persons with disabilities,
- Developing a comprehensive insurance programme for persons with disabilities for their health and life.
- Insurance regulatory authority to sensitize the insurance providers for ensuring that PwDs are not discriminated against while seeking insurance coverage.
- The Government may consider provision of higher interest for savings of persons with disabilities.
- Developing schemes by States/UTs for providing caregiver allowance and other support services for persons with high support needs.
- Streamlining grant of guardianship as a support mechanism to persons with disabilities.
- Creating better employment opportunities for persons with disabilities and covering all persons with disabilities in the age

group of 18-59 years by States/UTs for support in the form of unemployment allowance.

- Enhancing the coverage of ADIP programme **in effective manner** and developing a mechanism for providing support of repair of such devices at the nearest locality.

Chapter 12

Strengthening Institutional Mechanism and Capacity Development

12.1 Disability is a complex and multi-dimensional issue. Creating an environment conducive for persons with disabilities to live independently and participate equally with others requires multi-pronged strategy involving multiple authorities at central, state and local level. Coordinated efforts across concerned central Ministries/Departments , provincial and District authorities , non-government organizations involved in social engineering and advocacy are key to successful integration of PwDs for achieving the 2030 agenda of Sustainable Development Goals which promotes universal inclusion.

12.2 The Department of Empowerment of Persons with Disabilities (Divyangjan) is the focal Central Government Department on policy matters whereas all concerned Ministries/Departments are responsible for execution of policies and programmes relevant to their sectors keeping in view the provisions of law safeguarding the rights of PwDs. The Key Ministries /Departments and the institutions involved at the Central level for empowerment of PwDs are:

12.2.1 Primary Ministries and Departments

- Department of Empowerment of Persons with Disabilities (Divyangjan) under the Ministry of Social Justice and Empowerment

12.2.2. Other key Central Ministries/Departments:

- Ministry of Health and Family Welfare – Early Identification and Intervention, Healthcare, Rehabilitation Education
- Ministry of Women and Child Development – Support services through Aanganwadi network
- Ministry of Education- Early Childhood Education (preparatory School) and vocational training and sports (Department of School Education and Literacy), Higher Education and vocational Training (Department of Higher Education)
- Ministry of Skill Development and Labor- Vocational Training and Rehabilitation, Placement, Self Employment, Support services through local employment exchanges and National Career Service Portal
- Ministry of Housing and Urban Affairs – Accessibility in physical environment, special schemes and programmes such as allotment of land on concessional rate to PwDs.
- Ministry of Railways – Accessible rail transport, special schemes and programmes such as allotment of land on concessional rate to PwDs
- Ministry of Civil Aviation – Accessible air transport
- Ministry of Road Transport and Highways- Accessibility in passenger road transport

- Ministry of Shipping – Accessible transportation by ship and inland waterways.
- Ministry of Sports – Inclusive sports Policy, Accessible sports facilities
- Ministry of Communication and Information Technology- Inclusive telecom policy/services including accessible mobile/telecom equipment, accessible website, accessible electronic equipment
- Ministry of Consumer Affairs- universal designing of consumer Goods
- Ministry of Rural Development –Disability pension, accessibility in rural areas, Inclusive rural development programme

12.2.3 Agencies:

- International bodies and International Voluntary Organisations working for the cause of persons with disabilities
- State Government Institutions
- State/Central Government Special Schools
- District Disability Rehabilitation Center (DDRC)
- Special Schools, Parent Organizations, Disabled People’s Organizations, Civil Society Organizations etc.

12.2.4 Institutions/Organisations under DEPwD

S. No	National Institute	Specific Disability	Area of Interest
1	Swami Vivekanand National Institute of Rehabilitation,	Locomotor	• Clinical and

	Training & Research (SVNIRTAR) Cuttack - Established in 1975	Disability	therapeutic services <ul style="list-style-type: none"> • Manpower Development • Research and Development
2	Pandit Deendayal Upadhyaya National Institute for Persons with Physical Disabilities (PDUNIPPD), New Delhi - Established in 1975		
3	National Institute for Locomotor Disability (NILD), Kolkata - Established in 1978		
4	National Institute for the Empowerment of Persons with Visual Disabilities (NIEPVD), Dehradun - Established in 1979	Visual Disability	
5	Ali Yavar Jung National Institute of speech and Hearing Disabilities (AYJNISHD), Mumbai - Established in 1983	Hearing Disability	
6	National Institute for the Empowerment of Persons with Intellectual Disabilities (NIEPID), Secunderabad - Established in 1984	Intellectual Disability	
7	National Institute for Empowerment of Persons with Multiple Disabilities (NIEPMD), Chennai - Established in 2005	Multiple Disabilities	
8.	Indian Sign Language Research and Training Centre (ISLRTC), New Delhi - Established in 2015	Hearing Disability	<ul style="list-style-type: none"> • To develop manpower for using, teaching and conducting

			research in Indian Sign Language
9.	National Institute of Mental Health Rehabilitation (NIMHR) - Established in 2019	Mental Illness	<ul style="list-style-type: none"> • Rehabilitative Services • Capacity Building • Research and Development
10.	Artificial Limbs Manufacturing Corporation of India, Kanpur - Established in 1971	All Disabilities	<ul style="list-style-type: none"> • To manufacture and supply quality aids and appliances at affordable cost • To setup and strengthen a network of limb fitting centres and dealers for making aids and appliances easily available to PwDs • To establish collaboration with premier institution and carry out continuous research and development to develop state of the art assistive devices at affordable cost.

11.	National Handicapped Finance and Development Corporation, New Delhi - Established in 1997		<ul style="list-style-type: none"> • To provide funds to the persons with disabilities for promoting self employment. • To promote skill development of persons with disabilities for their gainful self employment.
12.	Rehabilitation Council of India – 1993		<ul style="list-style-type: none"> • To regulate and monitor training policies and programmes in the rehabilitative sector. • To prescribe minimum standards of education and training for rehabilitation professionals/ personnel. • To promote research in rehabilitation and special education. • To approve rehabilitation courses to be conducted by

			various universities and institutions in India.
13.	National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities - 2000	Autism, Cerebral Palsy, Intellectual disability and Multiple Disabilities	<ul style="list-style-type: none"> • To provide legal guardianship to persons with 4 categories of disabilities. • To extend support to registered organisations for various schemes of the National Trust like Disha, Vikas, Samarth, Gharaunda and Niramaya.

12.2.5 There are 21 Composite Regional Centers (CRCs) under the National Institutes of the Department located in twenty States/UTs. These CRCs aim at providing rehabilitation services to all categories of persons with disabilities under a single roof. However given the size of the population of persons with disabilities the outreach of the services of CRCs needs to be enhanced.

12.3 The National Policy envisages the following measures for strengthening the institutional framework for empowerment of persons with disabilities:-

- Each Central Ministry/Department should have a nodal officer on disability matters to be responsible for coordinating with DEPwD.

Priority to be given for implementation of the recommendations of the Central Advisory Board on disability which is the highest policy recommending body on disability sector and a platform for coordination among Central Ministry/Department and States/UTs.

- Similar principle should be followed by all Departments of States/UTs.
- The National Institutes/CRCs to serve as focal point at the regional level to coordinate with concerned authorities on disability matters.
- National Institutes and CRCs should be involved under PM-DAKSH portal. These Institutes may also be linked with UDID portal.
- Setting up of at least one National Institute or Composite Regional Center in every State/UT. Such Centers should have facilities of Cross Disability Early Intervention, state of the art facility for rehabilitation services across all age group with vocational and skill training facilities. These Institutes/Centers will serve as resource Centers for States/UTs.
- Supporting District Disability Rehabilitation Centres in every district which would provide single window facilities for Divyangjan at the district level. Each DDRC should have facilities of Cross Disability Early Intervention.
- As far as possible DDRCs should be located adjacent to District Hospital/ Health Care Institutions. Each DDRC should be manned by rehabilitation personnel /professional including community based inclusive development professionals.

- States/UTs need to set up rehabilitation centers at sub-divisional level on the model of DDRCs based on the population of PwDs in the locality.
- Staff and personnel of DDRCs and State run rehabilitation centers including NGOs under DDRS should be trained under NIs/CRCs.
- Rehabilitation Council of India should take measures to develop well trained pool of rehabilitation personnel /professional to meet the requirement of all categories of PwDs across the Country. The rehabilitation courses/ programmes should be at par with international standards. RCI shall work in tandem with NCTE, National Commission for Allied Health Care Services, National Medical Authority and Ministry of Education.
- Setting up an University of Disability Studies and Rehabilitation Sciences to serve as a National resource centre on human resource development in disability sector including inclusive universal design and assistive technology.

Chapter 13

Protection of the rights of Persons with Disabilities

13.1 Our Constitution fosters equality irrespective of caste, creed and religion. All citizens including persons with disabilities are equal before the law of land and they have the rights equally with others as envisaged in the Constitution. However reiterating United Nation's Convention on Rights of Persons with Disabilities the Central Government enacted the Rights of Persons with Disabilities Act 2016 enlisting various rights and entitlements of persons with disabilities. Major rights entitled for PwDs envisaged in the Act are:-

- (i) Right to equality and non-discrimination: The appropriate Government to take specific measures to ensure that PwDs enjoy their rights equally with others.
- (ii) Community life: PwDs shall have the right to live in community.
- (iii) Protection from cruelty and inhuman treatment: Appropriate Government to take measures to protect PwDs from being subjected to torture, inhuman, degrading and cruel treatment.
- (iv) Protection from abuse, violence and exploitation: Executive Magistrate/Police officer to take cognizance of such complaints in this regard; any penal/registered organization may inform such cases to the local Executive Magistrate.
- (v) Protection and safety during emergency situation and natural disasters: District, State, National Disaster management

authorities to take appropriate measures to ensure inclusion of PwDs in disaster activities.

- (vi) Home & family: No children with disabilities to be separated from his/her parents on the ground of disability.
- (vii) Reproductive Rights: No persons with disabilities to be the subject of any medical procedure which may lead to infertility without free and informed consent.
- (viii) Legal Capacity: Persons with disabilities to have right to inherit property, control their financial affairs, have access to bank loans, mortgage and other financial credit. The State/UTs are required to designate officers at the District Level for mobilizing community and creating social awareness to support PwDs to exercise their legal capacity.

13.2 RPwD Act, 2016: Offenses and penalties

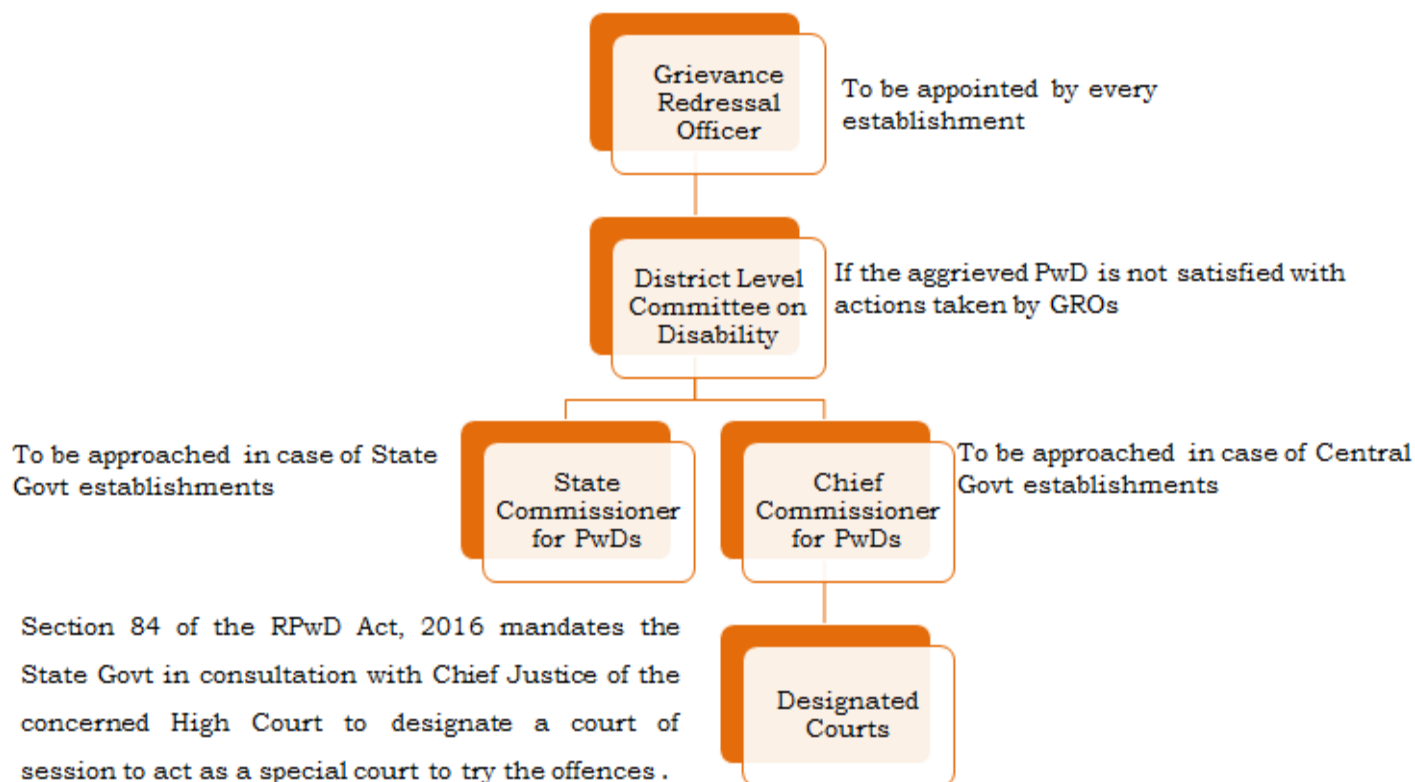
Violation of the provisions of the Act and Rules thereunder	First Offence – upto Rs 10,000/- subsequent offence –Rs. 0.5 – 5.0 lakh
Fraudulently availing benefit meant for persons with benchmark disabilities	Fine uptoRs 1.0 lakh or Imprisonment upto 2 years or both.

<p>Punishment for offences of atrocities</p> <ul style="list-style-type: none"> a) intentionally insults or intimidates with intent to humiliate a PwD within public view b) assaults or uses force to any PwD with intent to dishonour him or outrage the modesty; c) having actual charge or control over a PwD but voluntarily or knowingly denying food or fluids d) exploiting child and women with disability sexually; e) voluntarily injuring or damaging any limb or sense or any supporting device of a PwD f) Conducting medical procedure on a women with disability leading to termination of pregnancy without her express consent. 	<p>Imprisonment - 6 months to 5 years and with fine</p>
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13.3 The Rights of Persons with Disabilities Act, 2016 provides the following grievance redressal mechanism on issues relates to deprivation of rights of PwDs:-

- a) Grievance Redressal Officer (On employment issues at Government establishments)
- b) District level Committees
- c) State Commissioner of Persons with Disabilities
- d) Chief Commissioner of Persons with Disabilities
- e) Special Courts (designate court of service in the District)

Grievance Redressal Mechanism



13.4 The Act provides the State Commissioners for Persons with Disabilities (SCPD) and Chief Commissioner for Persons with Disabilities (CCPD) to act as a civil court for the purpose of requesting information/documents and also summoning for hearing. As of now, these authorities on receipt of complaint or otherwise regarding deprivation of rights of PwDs take up the matter with the concerned agencies of the Central/State Government for redressal of the grievances of PwDs and they also hold personal hearings in some cases involving the complainant PwDs and the respondent authorities to settle the grievances amicably. However, there is lack of any system for monitoring the follow-up of the recommendations made by these authorities and also the gap in implementation of their recommendation. As per the Act, the State Government in consultation with State High Court is required to setup

Special Courts in every District for expeditious hearing of cases regarding violation of rights of PwDs. Very few States have so far notified Special Courts. Similarly, States are required to appoint Special Public Prosecutor to take up the cases in such special Courts.

13.5 The National Policy outlines the following measures to safeguard the rights of PwDs including streamlining of grievance redressal mechanism

- There is a need to develop a system to capture the data relating to number of cases filed by PwDs in special courts, police stations and the time taken for disposal of such cases.
- On receipt of the complaints by the office of CCPD, action should be initiated within a week. The respondent authorities should be given maximum of one month to reply and in no case it should go beyond two months.
- Personal hearing, if need be, should be completed within three months on receipt of complaint.
- The above time schedule shall also be adhered to by the SCPD.
- State should start online hearing at the earliest possible time.
- Office of State Commissioner need to be given due support of staff and other infrastructure.
- There should be a common online platform for registering of complaint by PwDs and the system will automatically forward to CCPD or respective State Commissioner based on the nature of the complaint. Further the system should enable to monitor follow-up action by the respondent authority. Individual Departments of all States/UTs should be given restricted access to view the record available and also explore the action taken. The complainant should also be given restricted access to view the status of

complaint and status of implementation of CCPD or State Commissioner with respect to his complaint.

- The National Crime Record Bureau of MHA needs to maintain disability segregated data regarding crime against PwDs. From 2021 onwards, NCRB may include disability segregated data in their annual crime data.
- Sensitising public and the public authorities is the key to create an inclusive society and also to protect the interest of all. The State Commissioners in consultation with the State Governments need to conduct sensitizing workshop for District/State authority periodically.
- The State Governments need to allocate fund for holding such workshops.
- Similarly, Office of CCPD should also hold workshop for Central Government authorities from the current financial Year.
- Office of CCPD and the State Commissioner need to maintain data on workshops such as participating organizations, districts covered, etc based on the analysis of nature of complaint received at the office of CCPD or State Commissioner priority for holding sensitization programme for the sectoral authority.
- State Commissioners may also keep watch on the issuance of certificate of disability for adherence of time schedule of one month as prescribed under RPwD Rules and hold periodic review with the State authorities.
- All the States/UTs need to take measures to constitute of District level committees within a period of 6 months which could act as grievance redressal mechanism at the District level.

- All the States/UTs need to designate special Court in every districts and appoint special Public Prosecutor for facilitating speedy trial of cases concerning rights of PwDs. The Public Prosecutors should be sensitized appropriately about rights of PwDs to facilitate smooth handling of cases of PwDs.
- The National Legal Aid and State Legal Aid Authority need to develop schemes and programmes for PwDs for enabling them access to justice.
- The Executive Magistrate may be designated in every district to deal with matters relating to violence abuse and exploitation of PwDs. The Executive Magistrate and the Police Officer should be given orientation training about the rights of PwDs and their role and responsibility to protect their rights. Refresher training programme should also be held every three years.

Chapter- 14

Other Policy Measures

14.1 Disability Data Management:

14.1.1 Data-driven decision-making is critical to ensuring that public funds spent by the Government have desired outcomes. Dynamic database can provide information on real time basis, be it the extent of problem, level of outreach of government programmes and schemes, inadequacy in representation of vulnerable classes at various levels etc which are crucial for taking informed decisions. Such decisions backed by reliable data will have acceptance and can lead to overall improvement in the society.

14.1.2 Article 31 of the UNCRPD mandates the State Parties to collect appropriate information including disaggregated statistical and research data on persons with disabilities to enable them to formulate and implement policies. It also mandates the States Parties to take measures for dissemination and accessibility of such data to PwDs. However, there should be sufficient safeguards for data protection to ensure confidentiality and respect for privacy of persons with disabilities.

14.1.3 The Sustainable Development Goals (SDGs) aim at 'leaving no one behind' i.e. creating a society inclusive of all vulnerable groups including PwDs. SDG 2030 agenda has indicators which require strong database to showcase the progress made in achieving the target of inclusion of PwDs by promoting education, health, poverty alleviation etc. Similarly, Incheon Strategy to Make the Right Real for Persons with

Disabilities in Asia and the Pacific prioritizes 10 goals for implementation of the UNCRPD, for which there are 27 targets and 62 indicators. Both SDGs and the Incheon Strategy thus focus on the requirement of a reliable and comparable database for PwDs. This would not only help the country to measure the progress towards empowerment of PwDs but can also enable us to compare with other countries in a scientific manner.

14.1.4 The Rights of Persons with Disabilities Act, 2016 which is based on the principle of the UNCRPD and also the spirit of Incheon Strategy is required to be implemented holistically. This would require effective data management with regard to PwDs to measure the level of progress of implementation of the said law.

14.1.5 The Policy envisages the following measures to promote data management:

- The Government is already implementing Unique Disability ID Card project to create a national database for PwDs. The database should be linked with all service delivery mechanisms through appropriate Application Programming Interface (API) integration in the near future.
- The user establishments of UDID database need to ensure privacy of PwDs while disseminating information. Only the last 4 digits of the UDID card should be displayed as is being done in the case of Aadhaar.
- All Educational Institutions starting from preparatory school need to maintain disability disaggregated data and must capture the UDID number of the enrolled PwDs. This database should be

developed at the national level (common network) with access to States/UTs and all academic institutions

- Institutions offering distance learning/home based learning should obtain the UDID number of enrolled PwDs and integrate it with their overall database.
- All Govt run healthcare institutions should capture UDID number at the time of treatment/counseling for maintaining disability disaggregated information. There should be a common software that could be followed by all Central/Government run healthcare institutions in the entire country.
- All Govt run rehabilitation service provider institutions should capture UDID number. This will be helpful in monitoring the progress of individual PwDs.
- The Socio Economic Caste Census database which is used for implementation of poverty alleviation and development programmes should have disability disaggregated information and must capture UDID number.
- Union Ministry of Youth Affairs and Sports needs to maintain separate database for Divyang sportsperson category-wise.
- D/o Culture needs to maintain database of Divyangjan who have contributed to fine arts, literature, performing arts etc. both at the State/Central level by capturing their UDID number.
- D/o Personnel and Training may develop a common database of employees with disabilities and their year-wise recruitment in all Central Government establishments and should capture UDID

number. Similar database should be developed at the state level with regard to their establishments.

- All schemes and programmes meant for individual citizens should capture disability disaggregated data on disability. The online application format should have a column as to whether the applicant is a PwD and if so, category and UDID number needs to be mentioned.
- DEPwD should be given access to all the above databases.

14.2 Research and Development:

14.2.1 Disability is a complex issue and is an evolving science. Understanding disability with ever-changing social and medical perspectives and evolving appropriate intervention strategies are important for rehabilitation and integration of PwDs. As such, research and development in disability sector should be given adequate focus.

14.2.2 Section 28 of the Rights of Persons with Disabilities Act, 2016 mandates the Government to take measures to promote research and development through individuals/ institutions for enhancing habilitation and rehabilitation and empowerment of PwDs.

14.2.3 D/o Science and Technology is implementing various research and development programmes to promote scientific advancements in various sectors including disability sector. The Department of Empowerment of PwDs is implementing a Research and Development Scheme for promoting research and studies in disability sector. However, there is a need to reorient the focus towards certain areas of research in disability sector which are as under:-

- Finding incidence and prevalence of different disabilities, region-wise based on scientific data; its probable causes and possible interventions for arresting/minimizing such disability.
- Developing low cost, indigenous aids and assistive devices for which ALIMCO should play a lead role. This is in line with the vision of the Government to create “Atmanirbhar Bharat” in assistive technology.
- Developing mechanism/tool for accessible education, sports, culture, health services.
- Framing a mechanism for accreditation of indigenous research products in the disability sector so that the research findings get translated into real outcomes for enhancing the quality of life of PwDs. The Department of Science and Technology, National Institutes of this Department and ALIMCO should be an integral part of this accreditation system. All Govt research agencies including CSIR and its associates, IITs, NITs etc should follow this mechanism.
- Identifying premier research institutions that are capable of undertaking quality research in disability sector in consultation with Department of Science & Technology and promoting these institutions in respect of disability related research projects.
- Developing a joint mechanism for reviewing R&D activities in disability sector between D/o Science and Technology and DEPwD with representation from premier research institutions.

14.3 Promoting Atmanirbhar Bharat in Disability Sector:

14.3.1 Artificial Limbs Manufacturing Corporation is the only Central PSU under DEPwD set up in the year 1971 to manufacture aids and assistive devices for Divyangjan at affordable cost. Currently, ALIMCO manufactures 26 categories of Aids and Assistive devices with 19 of them already having full indigenous contents. Amongst imported items, Multi-Sensory Inclusive Education kit (MSIED) and Behind-the-Ear digital hearing aid, Smart Cane and Motorized Wheelchair with Joystick will soon be indiginised. Work is also progressing on development of DRDO designed Cochlear Implant, which is currently being imported. This will also bring down the cost of equipment substantially, thereby enabling the Government to provide cochlear implant to greater number of Divyang population.

14.3.2 For promoting 'Atmanirbhar Bharat' the policy suggests that:

- Efforts will be made to fully indigenise high end prosthesis i.e. Below knee and Above knee with local procurement of input raw material.
- Modernization of ALIMCO with advanced contemporary equipment will not only increase its production capacity but also enable it to produce better quality aids and assistive devices, thus obviating the need to import these.
- ALIMCO will enforce rigorous quality control on its vendors, market the products through chain of retailers and so-on. For this purpose, ALIMCO will undertake up-gradation of knowledge and skills of its work force in order to align it with the primary aim of improved product design and development and manufacturing of new products wherever feasible.

- ALIMCO will apply best management practices to minimize cost for aids and assistive device and improve its share in the market. It may develop a network of retailers and set up repairing units through these networks.

14.4 International Cooperation:

14.4.1 Article 32 of the UNCRPD makes it obligatory for the Member States to recognize the importance of promoting international cooperation for realization of objectives of the Convention. India is not only a party to the UNCRPD but also an active participant at all disability inclusive international initiatives. These include Incheon Strategy to make the 'Right Real' for PwDs for the decade 2013-2022 in Asia and the Pacific region, SENDAI framework for disaster risk reduction, the Marrakesh Treaty to Facilitate Access to Published Works for Persons who Are Blind, Visually Impaired or Otherwise Print Disabled.

14.4.2 In addition, the Government is engaged with other countries for sharing of best practices and knowledge for the betterment of PwDs in the country. These include bilateral agreements with Govt of Australia, Govt. of Afghanistan and Govt. of Mauritius. The Policy envisages that the Government will endeavor to:

- explore signing of MoUs with other countries for facilitating cooperation in research and access to scientific and technical knowledge, for promoting accessible and assistive technology and other areas of mutual interest.

- participate in international cooperation activities for improving the quality of life of PwDs.
- tie up with SAARC countries for regional cooperation in disability sector for promoting access to low cost and affordable rehabilitative services.
- promote institution to institution cooperation under the ambit of MoU signed with other countries.

14.5 Financing Empowerment of PwDs:

14.5.1 Studies have indicated that large population of persons with disabilities are poor and added costs on account of disability management pushing them further into extreme poverty. Even an average income earning family finds it difficult to meet its medical, rehabilitative, transportation and other needs. If the Divyang population does not get timely and adequate financial support at various levels the objective of creating an inclusive and empower society will remain a distant dream.

14.5.2 Resource mobilization in the field of Disability is a major challenge to meet the emerging needs of Divyangjan so that they can contribute whole heartedly to the progress of nation.

14.5.3 Given the mandate of the Rights to Persons with Disabilities Act 2016 and the Sustainable Development Goals 2030, there is a need for higher investment in the disability sector for realization of the rights of PwDs to lead an independent and dignified life and have equal access to health, education and other requirements. A productive Divyang can become equal partner in the socio-economic development of the nation.

14.5.4 Presently the investment in disability sector is mostly focused on accessibility, distribution of aids and assistive devices, scholarships for promoting education, skill development, rehabilitation, capacity building, providing concessional finance to Divyang entrepreneurs and social security programmes at the Central and State Governments' bodies. However, the annual expenditure of Central and State Governments for PwDs is not commensurate with their requirement.

14.5.5 While it is said that in respect of education, the public investment should reach 6% of GDP, there is no such target with regard to the disability sector. Reports indicate that budget allocation was only around 0.0039% of the GDP for the persons with disabilities.

14.5.6 As per Census 2011, the population of persons with disabilities was 2.68 crore which amounted to 2.21% of the total population. The Rights of Persons with Disabilities Act, 2016 has increased the number of types of disabilities from 7 to 21 and the number of persons with disabilities is expected to be much higher in the coming Census, 2021. More resources are needed for marginalised sections of Divyang population located in urban slums, rural, hilly and tribal areas. As per WHO Report, there is a need to accelerate the development and implementation of action plan to address health care needs of persons with disabilities including early identification & intervention and rehabilitation services.

14.5.7 Of late, Corporate Social Responsibility fund has become a source of funding in disability sector. However, the CSR funding in disability sector is meager as compared to other social sectors.

14.5.8 The policy envisages the following measures to mobilize financial resources required for empowering Divyangjan and creating an inclusive society:-

- State Governments and local authorities need to earmark sufficient funds for the disability sector every year keeping in view the fact that welfare of persons with disabilities is their primary responsibility.
- Efforts need to be made to sensitize corporate sector for facilitating higher flow of fund for empowerment of PwDs.
- All the States/UTs need to set up State Fund and popularize the fund for receiving donation from the public for utilizing the same in schemes and programmes meant for PwDs.
- Public Private Partnership needs to be explored for providing services to the Divyangjan.
