

बिहार राज्य

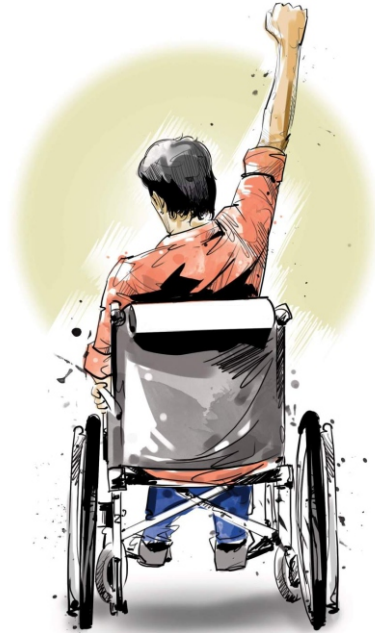
दिव्यांगजन सशक्तिकरण कार्ययोजना

2019 - 24





बिहार राज्य
दिव्यांगजन सशक्तिकरण कार्य योजना
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Bihar State
Action-Plan for Empowerment of
Persons with Disabilities
2019 - 24

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दिव्यांगजन सशक्तिकरण कार्य योजना 2019-24

1. प्रस्तावना:-

भारत का संविधान सभी व्यक्तियों को समता, न्याय और सम्मान के साथ जीवन सुनिश्चित करता है तथा दिव्यांगजनों सहित सभी के लिए समावेशी समाज का अधिदेश देता है। दिव्यांगजनों हेतु वैश्विक सोच में व्यापक परिवर्तन आया है। दिव्यांगजनों को समान अवसर मिले एवं पुनर्वास उपायों तक यदि उनकी प्रभावी पहुँच सुनिश्चित की जाय तो वे सम्मानजनक जीवन व्यतीत कर सकते हैं। भारतीय संविधान के अनुच्छेद 38 सपठित अनुच्छेद 39 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए राज्य सरकार एतद् द्वारा राज्य के दिव्यांगजनों के सशक्तिकरण हेतु 'बिहार राज्य दिव्यांगजन सशक्तिकरण कार्य योजना, 2019-24' विनिश्चित करती है।

2011 की जनगणना के अनुसार बिहार में 23.31 लाख व्यक्ति दिव्यांग हैं जो कुल जनसंख्या का 2.3 प्रतिशत है। कुल दिव्यांगजनों में महिलाओं की जनसंख्या 9.88 लाख एवं पुरुषों की जनसंख्या 13.3 लाख है। लगभग 88 प्रतिशत दिव्यांगजन ग्रामीण क्षेत्रों में रहते हैं, इनमें से अत्यल्प दिव्यांगजन ही नियोजित हैं। अतः दिव्यांगजनों का सर्वांगीण विकास एवं उनकी क्षमताओं के आधार पर समाज की मुख्य धारा से जोड़ने हेतु राज्य सरकार द्वारा इस कार्य योजना को मूर्त रूप दिया गया है।

2. कार्ययोजना विवरण:-

यह कार्य योजना दिव्यांगता को समग्र रूप में देखती है, जिसमें जीवन का प्रत्येक महत्वपूर्ण पहलू सन्निहित है। कार्य योजना वक्तव्य में कई तरह के हितभागियों (विभागों) के एक साथ कार्य करने की अनुशंसा की गयी है।

- (1) बिहार एक विविधतापूर्ण राज्य है, जो दीर्घकाल से एक ऐसे समावेशी समाज के लिए प्रतिबद्धता के साथ खड़ा है, जहाँ सभी निवासियों, जिनमें दिव्यांगजन भी शामिल हैं को सामाजिक, सांस्कृतिक, आर्थिक एवं राजनीतिक जीवन में बिना किसी भेदभाव के समान अवसर एवं पूर्ण भागीदारी का अधिकार है।
- (2) अपने अधिकारों एवं जिम्मेदारियों को स्वीकारते हुए बिहार सरकार दिव्यांगजनों के हितार्थ अवसरों की समानता के माध्यम से एक ऐसा समर्थकारी वातावरण निर्मित करने की प्रतिबद्धता रखती है, जिसमें समाज उनकी प्रतिभा और भागीदारी से लाभान्वित हो।
- (3) सरकार सामुदायिक भागीदारी को बढ़ावा देने के लिए प्रयासरत है, ताकि दिव्यांगता के कारणों एवं दिव्यांगजनों के मुद्दों के प्रति समुदाय संवेदनशील बन सके।
- (4) सरकार नयी एवं अनुकूल प्रौद्योगिकी को बढ़ावा देना सुनिश्चित करेगी, जिससे दिव्यांगजनों का प्रभावी एवं सुगम तरीकों से सामाजिक एवं आर्थिक पुनर्वास हो सके।
- (5) सरकार दिव्यांगजनों के हितार्थ जाति, वर्ग, लिंग, भाषा, धर्म अथवा अन्य किसी भी प्रकार के भेदभाव को समाप्त करने के लिए प्रतिबद्ध है।

2.1 विधिक रूप-रेखा: इस कार्य योजना में निम्नलिखित अधिनियमों, नियमों एवं सम्मेलनों के उपबंधों को सम्मिलित किया गया है:

- (1) मानसिक स्वास्थ्य देखभाल अधिनियम, 2017,
- (2) शिशु के अधिकार पर संयुक्त राष्ट्र सम्मेलन, 1992,

- (3) स्वपरायणता (ऑटिज्म), प्रमस्तिष्क घात (सेरेब्रल पाल्सी), मानसिक मन्दता और बहु-विकलांगताग्रस्त व्यक्तियों के कल्याण के लिए राष्ट्रीय न्यास अधिनियम, 1999,
- (4) भारतीय पुनर्वास परिषद अधिनियम, 1992 एवं संशोधन, 2000,
- (5) दिव्यांग व्यक्तियों के अधिकारों पर संयुक्त राष्ट्र सम्मेलन, 2007,
- (6) दिव्यांगजन अधिकार अधिनियम, 2016,
- (7) बिहार दिव्यांगजन अधिकार नियमावली, 2017

2.2 मूल आधार: इस कार्य योजना का मूल आधार दिव्यांगजनों की क्षमताओं में अभिवृद्धि करना है, जिनमें निम्नलिखित अवधारणाओं को प्रमुखता दी गई है:

- (1) **विकासात्मक अवधारणा:** इसके तहत दिव्यांगजनों का विकास, क्षमतावर्धन और व्यक्तिगत स्वायत्तता पर बल देते हुए उनके अधिकारों को प्रोन्नत एवं सुनिश्चित करने का दायित्व बोध है;
- (2) **न्यायपरक अवधारणा:** इस अवधारणा के तहत दिव्यांगजनों की क्षमताओं का सम्मान करते हुए उनके कार्य सामर्थ्य के अनुरूप समाज में उनकी भागीदारी सुनिश्चित करने का दायित्व बोध है;
- (3) **सुरक्षात्मक अवधारणा:** इस अवधारणा के तहत दिव्यांगजनों पर हो रहे सभी प्रकार के दुर्व्यवहार से उन्हें सुरक्षा प्रदान करने का दायित्व बोध है।

2.3 कार्य योजना के उद्देश्य: बिहार राज्य दिव्यांगजन सशक्तिकरण कार्ययोजना के मुख्य उद्देश्य निम्नलिखित हैं :

- (1) सरकारी योजनाओं एवं कार्यक्रमों में दिव्यांगजनों के अधिकारों को शामिल करना,
- (2) विभिन्न सरकारी विभागों द्वारा संचालित दिव्यांगता प्रक्षेत्र की योजनाओं, उनका क्रियान्वयन एवं अनुश्रवण में समन्वय लाने हेतु एकीकृत प्रबंधन प्रणाली विकसित करना,
- (3) सरकार एवं स्थानीय स्वशासन द्वारा दिव्यांगजनों हेतु समुचित बजट प्रावधान करना,
- (4) दिव्यांगजनों के कल्याणार्थ लोक शिक्षण एवं जन-जागरूकता अभियान संचालित करना,
- (5) दिव्यांगजनों के सशक्तिकरण के लिए सभी स्तरों पर क्षमता का निर्माण करना।

2.4 मार्गदर्शक सिद्धांत: यह कार्य योजना निम्नलिखित सिद्धांतों पर आधारित है :

- (1) **स्व प्रतिनिधित्व:** स्व प्रतिनिधित्व से अभिप्रेत है दिव्यांगजनों के सामूहिक विनिश्चय और ज्ञान का उपयोग, सरकारी रणकार्य-योजना के निर्माण हेतु सूचना संसाधन/भंडार के रूप में करना,
- (2) **समावेशन:** समावेशन से अभिप्रेत है दिव्यांगता प्रक्षेत्र को समस्त सरकारी क्रिया-कलापों, कार्यक्रमों, सिद्धांतों एवं रणकार्य-योजनाओं में शामिल करना,
- (3) **सतत आर्थिक स्रोत:** इससे अभिप्रेत दिव्यांगजनों के कल्याणार्थ सभी विकास की योजनाओं को दीर्घकालीन वित्तीय स्रोत के साथ एकीकृत करना,
- (4) **गुणवत्ता के लिए प्रतिबद्धता:** इससे अभिप्रेत है सरकार दिव्यांगजनों को गुणवत्तापूर्ण सेवा प्रदान करने के लिए प्रतिबद्ध है।

2.5 कार्य योजना का प्रायोजन:

- (1) दिव्यांगजनों हेतु बाधा रहित वातावरण का निर्माण कर उन्हें समान अवसर एवं उनकी पूर्ण भागीदारी सुनिश्चित कराना,

- (2) यह कार्य योजना उन सभी प्रावधानों, विनियमों एवं नियमों को जो दिव्यांगजनों के प्रतिकूल है या उन्हें कम संरक्षण प्रदान करती है, को अवक्रमित करती है,
- (3) देश के दिव्यांगता कानून के अनुपालनार्थ राज्य सरकार द्वारा सभी हितधारकों (साझेदारों—कम्पनी, व्यक्ति, समूह) को शिक्षा एवं अन्य सूचना संसाधन उपलब्ध कराना,
- (4) दिव्यांगजनों हेतु नई ग्राह्य एवं अनुकूल तकनीक एवं सेवाओं के विकास तथा वितरण को बढ़ावा देने के लिए सकारात्मक कदम उठाना,
- (5) दिव्यांगजनों के सशक्तिकरण के लिए बाल्यावस्था की दिव्यांगता में हस्तक्षेप, उनकी त्वरित पहचान तथा उनके निवारण को उच्च प्राथमिकता देना,
- (6) दिव्यांगता अंकेक्षण सहित एक उपयुक्त अनुश्रवण प्रक्रिया का निर्माण करना।

2.6 लक्षित समूह:

यह कार्य योजना लक्षित समूह के रूप में उन समस्त व्यक्तियों को शामिल करती है जो यू.एन.सी.आर.पी.डी. द्वारा परिभाषित है तथा जिसकी अनुशंसा भारतीय संसद द्वारा 1 अक्टूबर, 2007 को किया गया है, जो इस प्रकार हैं :-

“वे जो दीर्घकाल से शारीरिक, मानसिक, बौद्धिक या संवेदी रूप से ग्रसित हैं तथा जिनका अन्य लोगों के समकक्षता के स्तर पर, विभिन्न बाधाओं का सामना करने के पश्चात् समाज में पूर्ण एवं प्रभावी भागीदारी बाधित होती हो।”

3. कार्य योजना की प्राथमिकता वाले कर्णांकित क्षेत्र :

यह कार्य योजना राज्य अन्तर्गत सुसंगत क्षेत्रों की पहचान कर विभिन्न विभागों द्वारा कार्य योजनाओं के कार्यान्वयन को प्रोत्साहित करती है। विभिन्न स्तर पर व्यापक परामर्शक प्रक्रिया के द्वारा निम्नलिखित क्षेत्रों का अभिनिर्धारण किया गया है:

3.1 सामाजिक क्षेत्र :

- (1) विभिन्न जागरूकता कार्यक्रम के माध्यम से दिव्यांगजनों के प्रति सामाजिक संवेदनशीलता एवं सामाजिक संचेतना बढ़ाना ताकि वे गरिमा के साथ जीवन व्यतीत कर सकें,
- (2) गर्भावस्था के दौरान एवं उसके बाद विकलांगता निवारण के उपाय के संबंध में जागरूकता को गति प्रदान करना एवं उसका अच्छादन बढ़ाना,
- (3) दिव्यांगजनों के पुनर्वास हेतु उनकी शीघ्र पहचान एवं उपचार करना, सहायक यंत्र वितरण करना एवं व्यावसायिक प्रशिक्षण कार्यक्रमों का विकास करना,
- (4) वर्तमान सामाजिक सुरक्षा पेंशन योजना के अतिरिक्त उन्हें सामाजिक न्याय प्रदान करने हेतु बीमा जैसी नई व्यापक सामाजिक सुरक्षा योजना विकसित करना,
- (5) सरकार दिव्यांगजनों के लिए प्रमाणीकरण की प्रक्रिया सरल करेगी और एकल खिड़की व्यवस्था के माध्यम से उन्हें लाभान्वित करेगी,
- (6) सरकार दिव्यांगजनों के लिए यह सुनिश्चित करेगी कि वे स्वयं की सम्पत्ति और पैतृक सम्पत्ति (चल अथवा अचल) के वारिस हों तथा अपने वित्तीय मामलों पर स्वयं का नियंत्रण रखने के साथ बैंक ऋण, बंधक तथा दूसरे प्रकार के वित्तीय साख और कोई भी मदद की जानकारी रखने में अन्य व्यक्तियों के समान सक्षम हों।

3.2 आर्थिक क्षेत्र:

- (1) दिव्यांगजनों हेतु सार्वजनिक उपक्रमों सहित सरकारी क्षेत्र में नियुक्तियों पर 4 प्रतिशत आरक्षण सुनिश्चित करना,
- (2) दिव्यांगजनों का उपयुक्त कौशल विकास कर निजी क्षेत्र में रोजगार के लिए प्रोत्साहित करना,
- (3) दिव्यांगजनों को स्वरोजगार के लिए प्रोत्साहित करने हेतु रियायतें देना तथा इसके द्वारा गठित स्वयं सहायता समूह को वित्तीय सहायता देने में प्रथमिकता देना। इनके द्वारा उत्पादित माल के विपणन में सहायता देना,
- (4) कार्यस्थल पर बाधामुक्त प्रचालन एवं बाधामुक्त वातावरण का निर्माण एवं सुरक्षा सुनिश्चित करना,
- (5) सरकारी, अर्द्ध-सरकारी, राज्य के सार्वजनिक क्षेत्र के उपक्रम, सरकारी सहायता प्राप्त संगठनों में कार्यरत गम्भीर दिव्यांग वर्ग के व्यक्तियों और उनके माता-पिता का स्थानांतरण और पदस्थापन उनके गृह नगर अथवा जहाँ आवश्यक देख-रेख की सुविधा उपलब्ध हो, में ही हो इस बात पर सरकार विशेष रूप से ध्यान देगी,
- (6) सरकार वैसे सभी दिव्यांगजन जो नियोजनालय और विशेष नियोजनालय में निबंधित हैं, उन्हें बेरोजगारी भत्ता प्रदान करने के लिए विशिष्ट योजनाओं एवं प्रावधानों का निर्माण करेगी,
- (7) सरकार दिव्यांगजनों के लिए खेल कोटा से समुचित आरक्षण का प्रावधान करेगी,
- (8) सरकार दिव्यांगजनों के लिए सभी गरीबी उन्मूलन योजनाओं में 5 प्रतिशत आरक्षण सुनिश्चित करेगी,

3.3 राजनीतिक क्षेत्र: योजना निर्माण, निर्णयन एवं शासन की प्रक्रियाओं में प्रभावी सहभागिता सुनिश्चित करना।

3.4 सांस्कृतिक क्षेत्र:

- (1) मनोरंजन एवं सांस्कृतिक कार्यक्रमों के लिए समान अवसर सुनिश्चित कराने हेतु मनोरंजन स्थल, सांस्कृतिक स्थल, खेल परिसर आदि को सुगम्य बनाना,
- (2) स्थानीय/राज्य/राष्ट्रीय/अंतर्राष्ट्रीय स्तर के खेल प्रतियोगिताओं एवं सांस्कृतिक प्रतियोगिताओं में उनकी भागीदारी सुनिश्चित करना।

3.5 शैक्षिक क्षेत्र:

- (1) कम-से-कम 18 वर्ष की आयु के सभी दिव्यांग बच्चों को निःशुल्क एवं अनिवार्य शिक्षा उपलब्ध कराना,
- (2) दिव्यांगजनों के लिए उपयुक्त शिक्षण प्रणाली विकसित करना,
- (3) दिव्यांगजनों को समावेशी शिक्षा के माध्यम से सामान्य शिक्षा पद्धति की मुख्य धारा में लाना,
- (4) प्रौढ़ शिक्षा एवं सतत् शिक्षा कार्यक्रम में सामान्य रूप से अन्य लोगों की तरह ही दिव्यांगजनों की भागीदारी सुनिश्चित करना,
- (5) सरकार दिव्यांगता के मुद्दों पर जागरूकता फैलाने के उद्देश्य से विश्वविद्यालयों, कॉलेजों एवं स्कूलों के पाठ्यक्रमों में दिव्यांगजनों के अधिकार संबंधी विषयों का समावेश करेगी,
- (6) सभी सरकारी/वित्त पोषित/सहायता प्राप्त उच्च शिक्षण संस्थान में दिव्यांगजनों के लिए 5 प्रतिशत आरक्षण लागू करना,
- (7) उच्च शिक्षा में नामांकन को बढ़ावा देने के लिए ऊपरी आयुसीमा में छूट प्रदान की जायगी।

3.6 स्वास्थ्य एवं पोषण क्षेत्र:

- (1) उपयुक्त उपचारों तथा परामर्श संबंधी सेवाओं की सभी स्तरों पर उपलब्धता सुनिश्चित करना,
- (2) विद्युतकीय उपकरणों के साथ उपयुक्त सहायक उपकरणों की उपलब्धता सुनिश्चित करना,
- (3) विशिष्ट चर्चित विषयों जैसे- पोषण, कुष्ठ रोग निवारण, अंधेपन पर रोक, एच.आई.वी./एड्स, यौन संबंध द्वारा प्राप्त रोग आदि के मद्देनजर उपयुक्त स्वास्थ्य जागरूकता के कार्यक्रमों को क्रियान्वित करना।

3.7 बुनियादी आधारभूत संरचना:

- (1) सभी सरकारी बुनियादी संरचनाओं एवं सार्वजनिक स्थानों के निर्माण, रूपांतरण और अनुकूलन द्वारा दिव्यांगजनों को बाधरहित पहुँच उपलब्ध करना,
- (2) यह सुनिश्चित करना कि प्रस्तावित सार्वजनिक भवनों का नक्शा दिव्यांगजनों हेतु बाधरहित हो,
- (3) विभिन्न स्तरों पर मार्गदर्शन हेतु लगाये जाने वाले साइनेज की ब्रेललिपि में भी यथासंभव व्यवस्था सुनिश्चित करना,
- (4) दिव्यांगजनों और उनके परिवार को 5 प्रतिशत सुरक्षित और सुगम्य आश्रय का आवंटन प्राथमिकता के आधार पर सुनिश्चित करना,
- (5) कृषि कार्य एवं जीविकोपार्जन की गतिविधियों को बढ़ावा देने के उद्देश्य से रियायती दरों पर भूमि आवंटन में 5 प्रतिशत आरक्षण सुनिश्चित करना,
- (6) दिव्यांगजनों हेतु सुलभ, सस्ती, मल्टीमॉडल, सार्वजनिक परिवहन प्रणाली को विकसित करना ताकि उन्हें सुगम यातायात सुविधा उपलब्ध हो सके,
- (7) दिव्यांगजनों के लिए राजकीय परिवहन के साधनों में सुरक्षित व सुगम यात्रा हेतु सीटों का आरक्षण एवं रियायती दरों पर यात्रा की व्यवस्था सुनिश्चित करना,
- (8) कार्यस्थलों पर दिव्यांगजनों हेतु नियोजकों द्वारा अनुकूलित वातावरण एवं अटेन्डेण्ट इत्यादि की व्यवस्था सुनिश्चित कराना,
- (9) दिव्यांगजनों को कार्यालय संबंधी कार्यों को संपादित करने हेतु यथासंभव आंतरिक एवं बाह्य स्थलों के लिए आवश्यकतानुसार परिचारक की व्यवस्था सुनिश्चित करना।

3.8 विशेष केन्द्र बिन्दु (फोकस):

- (1) विशेष रूप से जरूरतमंद बच्चों के लिए एक ऐसा बाधा रहित वातावरण निर्मित करना, जिसमें वह पूर्ण एवं सम्मानजनक जीवन व्यतीत कर सकें तथा उनकी प्रतिष्ठा, आत्मविश्वास में वृद्धि के साथ, जन समुदाय में उनकी भागीदारी सुनिश्चित हो सके,
- (2) दिव्यांग बालिकाओं और महिलाओं के सामाजिक, आर्थिक एवं राजकार्य-योजना के अधिकारों को सुनिश्चित करना। उनके विरुद्ध घरेलू हिंसा के सभी प्रकार के मामले में तीव्र निष्पादन सुनिश्चित करना तथा घर, कार्य-स्थल एवं सार्वजनिक स्थल पर उनकी सुरक्षा तथा संरक्षण सुनिश्चित करना,
- (3) दिव्यांगजनों की आवश्यकतानुसार कानूनी संरक्षक का प्रावधान करना,
- (4) वृद्ध दिव्यांगजनों को सम्मानित जीवन प्रदान करने के लिए उन्हें सामाजिक/ संस्थागत/जन समुदाय स्तर से सुरक्षा एवं संरक्षा प्रदान करना,

- (5) प्राकृतिक आपदा के दौरान दिव्यांगजनों की सुरक्षा एवं संरक्षा के लिए बचाव, राहत एवं पुनर्वास हेतु विशेष कार्य योजना तैयार करना,
- (6) राष्ट्रीय मानसिक स्वास्थ्य कार्य योजना और कार्यक्रम को अपनाने तथा सुविधाजनक बनाने के साथ-साथ मानसिक बीमारी से निपटने के लिए पर्याप्त सेवाओं को विकसित करने और वांछित दवाओं की उपलब्धता एवं आपूर्ति सुनिश्चित करना,
- (7) सामुदायिक देखरेख को बढ़ावा देना और प्रत्येक जिले में अल्पकालिक आवास का निर्माण करना।

3.9 अन्य:

- (1) राज्य सरकार दिव्यांगजनों के समग्र विकास हेतु राज्य निधि का गठन करेगी,
- (2) दिव्यांगता प्रक्षेत्र में अनुसंधान और विकास की गतिविधियों को तीव्र करने के लिए निधि उपलब्ध कराना जिससे दिव्यांगजनों का सामाजिक, आर्थिक, राजनैतिक और सांस्कृतिक क्षेत्रों में प्रवेश सुगम हो सके,
- (3) प्रशिक्षण केन्द्रों की स्थापना कर या विश्वविद्यालयों, डीम्ड विश्वविद्यालयों और व्यावसायिक संगठनों के साथ सहयोग कर उपयुक्त एवं सुयोग्य मानव संसाधनों के विकास और उपलब्धता को सुनिश्चित करना,
- (4) दिव्यांगता प्रक्षेत्र से संबंधित डाटाबेस के संधारण हेतु समान व्यापक ऑनलाईन सूचना प्रबंधन प्रणाली (एम.आई.एस.) विकसित करना,
- (5) दिव्यांगजनों की सामाजिक, आर्थिक, सांस्कृतिक और राजकार्य-योजना के क्षेत्रों में भागीदारी सुनिश्चित करने हेतु यथोचित समायोजन (रिजनेबल एकोमोडेशन) की अवधारणा का अनुपालन करना।

4. कार्यक्रम का कार्यान्वयन एवं अनुपालन:

4.1 कार्य योजना के सफल क्रियान्वयन हेतु संस्थागत तंत्र:

- (1) समाज कल्याण विभाग इस कार्य योजना के कार्यान्वयन एवं समन्वयन हेतु नोडल विभाग होगा तथा दिव्यांगजन सशक्तीकरण से संबंधित कार्य योजनाओं एवं कार्यक्रमों का क्रियान्वयन, अनुश्रवण, मूल्यांकन एवं विश्लेषण तथा वार्षिक समीक्षा एवं प्रतिवेदन तैयार करेगा। इस हेतु दिव्यांगजन सशक्तीकरण निदेशालय की स्थापना की गई है,
- (2) इस कार्य योजना का कार्यान्वयन सुनिश्चित करना सरकार के सभी संबंधित विभागों की जिम्मेदारी होगी। सभी संबंधित विभाग इस कार्य योजना के अन्तर्गत आने वाले अपने संबंधित क्षेत्रों के अनुरूप कार्यों को विनिर्दिष्ट करते हुए बजटीय प्रावधान के साथ कार्य योजनाएँ तैयार कर निर्धारित समय सीमा के अंदर निष्पादित करेंगे। इसके लिए प्रत्येक विभाग राज्य स्तर पर एक नोडल पदाधिकारी मनोनीत करेगा जो विभागीय योजनाओं के कार्यान्वयन का दिव्यांगता के परिपेक्ष्य में अनुश्रवण करेगा। संबंधित नोडल पदाधिकारी द्वारा त्रैमासिक प्रतिवेदन दिव्यांगजन सशक्तीकरण निदेशालय को उपलब्ध कराया जायेगा। इस कार्य योजना के कार्यान्वयन में स्थानीय नगर निकाय एवं पंचायतीराज संस्थाओं की महत्वपूर्ण भूमिका होगी। ये संस्थाएँ अपनी परियोजनाओं में दिव्यांगता से संबंधित घटकों को शामिल करेगी,
- (3) राज्य स्तर पर राज्य आयुक्त दिव्यांगता अपने सांविधिक दायित्वों के अतिरिक्त राज्य कार्य योजना के कार्यान्वयन में महत्वपूर्ण भूमिका निभाएँगे,
- (4) सरकार दिव्यांगता प्रक्षेत्र की योजनाओं तथा कार्यक्रमों के प्रभाव के आकलन के लिए आवश्यक शोध की व्यवस्था करेगी तथा प्राप्त परिणामों के आधार पर आवश्यक सुधार करेगी।

4.2 एकीकृत कार्य योजना का निर्माण एवं अनुश्रवण:

- (1) **एकीकृत कार्य योजना:** सभी संबंधित विभाग कार्य योजना तैयार करेंगे जिसे समाज कल्याण विभाग द्वारा समेकित कर मुख्य सचिव की अध्यक्षता में गठित विभागीय प्रधान सचिव/सचिवों की समिति में अनुमोदन हेतु रखा जायेगा। अनुमोदित एकीकृत कार्य योजना के अनुरूप संबंधित विभागों द्वारा कार्यान्वयन किया जायेगा।
- (2) **समीक्षा एवं अनुश्रवण:** मुख्य सचिव की अध्यक्षता में गठित अनुश्रवण समिति प्रत्येक वर्ष कार्य योजना के कार्यान्वयन की राज्य स्तरीय समीक्षा करेगी। मुख्यमंत्री की अध्यक्षता में मिशन मानव विकास से संबंधित लक्ष्यों एवं संगत कार्यक्रमों के पर्यवेक्षण एवं समीक्षा हेतु गठित राज्य स्तरीय अनुश्रवण समिति इस कार्य योजना के आलोक में कार्य योजना के अनुश्रवणीय बिन्दुओं की समय-समय पर समीक्षा करेगी।
- (3) **अनुश्रवण संकेतक:** राज्य में कार्य योजना के क्रियान्वयन एवं मूल्यांकन के लिए निम्नलिखित अनुश्रवण संकेतक प्रयुक्त किये जा सकते हैं:
 - (क) **शिक्षा:** स्कूलों/कॉलेजों में दिव्यांगजनों का नामांकन दर, छाजन दर, उनके लिए उपलब्ध शैक्षणिक संस्थानों की संख्या, स्कूलों/कॉलेजों में बुनियादी सुविधा, पाठ्यक्रमों में दिव्यांगता प्रक्षेत्र के विषयों का समावेश, आदि,
 - (ख) **सामाजिक सशक्तिकरण:** योजनाओं तक दिव्यांगजनों की पहुँच, सुरक्षा एवं पुनर्वास हेतु स्थापित संस्थाओं की संख्या, सामान्य बजट में दिव्यांगजनों हेतु बजट आवंटन का प्रतिशत, विवाह प्रोत्साहन की स्थिति, आदि,
 - (ग) **आर्थिक सशक्तिकरण:** रोजगार एवं स्वरोजगार में दिव्यांगजनों की भागीदारी दर, उनका वित्त पोषण एवं साख सृजन की दर, प्रशिक्षण एवं कौशल विकास योजनाओं में उनका अनुपात, कार्यस्थल पर उपलब्ध बुनियादी सुविधा की स्थिति, आदि।
 - (घ) **राजनीतिक सशक्तिकरण:** दिव्यांगजन प्रतिनिधियों की संख्या, पंचायतों/नगर निकायों/सहकारी संगठनों आदि में दिव्यांगजनों का अनुपात, आदि।

परिशिष्ट

दिव्यांगता के श्रेणियों की सूची:

1	गतिशीलता (हरकत) जनित दिव्यांगता	Locomotor Disability
2	कुष्ठ निवारित व्यक्ति	Leprosy Cured Person
3	प्रमस्तिष्क घात	Cerebral Palsy
4	बौनापन	Dwarfism
5	मांसपेशीय दुर्विकास	Muscular Dystrophy
6	एसिड हमले से पीड़ित	Acid Attack Victims
7	अंधापन (दृष्टिहीनता)	Blindness
8	मंद दृष्टि/अल्पदृष्टि	Low Vision
9	बधिर	Deaf
10	सुनने में कठिनाई	Hard of Hearing
11	वाणी एवं भाषा दिव्यांगता	Speech and Language Disability
12	बौद्धिक दिव्यांगता	Intellectual Disability
13	विशिष्ट अधिगम अक्षमता	Specific Learning Disabilities
14	स्वपरायणता	Autism Spectrum Disorder
15	मानसिक बीमारी	Mental Illness
16	बहुविध उत्तक दृढ़न	Multiple Sclerosis
17	पार्किंसंस रोग	Parkinson's Disease
18	हिमोफिलिया	Haemophilia
19	थेलेसेमिया	Thalasemia
20	दात्र कोशिका रोग	Sickle Cell Disease
21	बहु दिव्यांगता	Multiple Disability
22	अन्य कोई प्रकार, जो केन्द्र सरकार द्वारा अधिसूचित किया जाय	Any other category as may be notified by the Central Government



Bihar State Action-Plan for Empowerment of Persons with Disabilities 2019 - 24



Bihar State Action Plan for Empowerment of Persons with Disabilities 2019 - 24

1. Preamble:

Indian constitution ensures life of equality, justice and dignity to all people and mandates an inclusive society to all including Persons with Disabilities. Global thinking regarding the disabled has undergone profound changes. If equal opportunities and effective access to rehabilitation measures are made available to the PwDs then they can lead a dignified life. The state government does hereby decide to formulate 'Bihar state Action plan for Empowerment of Persons with disabilities, 2019 - 24' by using powers conferred by Article 38 read together with Article 39 of Indian Constitution with a view to empower persons with disabilities in the state.

According to Census 2011, Persons with Disabilities (PwDs) in Bihar are 23.31 lakhs which is 2.3% of the total population. There are 9.88 lakhs females and 13.43 lakhs males in the total disabled population. Approximately, 88% of the disabled population resides in rural areas and among these only infinitesimal disabled are being served. Therefore, based on the overall development and ability of the PwDs, the state government has decided to give impetus to this action plan to bring them in the mainstream of the society.

2. Action plan Statements:

The action plan looks into disability in a holistic manner where every facet of life has been valued and included. Accordingly, action plan statements have been written appreciating the role of multiple players (departments) to function in convergence;

- (1) Bihar is one of the most diverse states in the country with a long-standing commitment of becoming an inclusive society where residents, many of whom are Persons with disabilities, are able to fully participate without any discrimination in the social, cultural, recreational, economic and political life of the state and of the nation.
- (2) Recognizing the rights and responsibilities, the Government of Bihar will create an enabling environment for the emancipation of all PwDs through equalization of opportunities so that society is benefitted from their untapped talent and contribution.
- (3) The Government will endeavor to promote community participation in order to generate adequate community response towards disability issues.

- (4) The Government will ensure the promotion of innovative and adaptive technology in order to create and facilitate access to social and economic rehabilitation of Persons with Disabilities.
- (5) The Government is committed to abolish all forms of discrimination faced by Persons with Disabilities who are subject to multiple or aggravated forms of discrimination on the basis of caste, class, gender, tribe, sexual orientation, language, religion or any other form of discrimination.

2.1 Legal Framework:

The legal framework for the action plan is guided by the provisions of the following Acts and Conventions -

- (1) Mental Healthcare Act, 2017;
- (2) United Nations Convention on the Rights of the Child, 1992;
- (3) The National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999;
- (4) Rehabilitation Council of India Act, 1992 & Amendment, 2000;
- (5) United Nations Convention on the Rights of Persons with Disabilities, 2007;
- (6) Rights of Persons with Disabilities Act, 2016;
- (7) Bihar Rights of Persons with Disabilities Rule, 2017.

2.2 Basic Premise:

The concept of this action plan is to enhance the capacities of PwDs which will form the central theme. The action plan document carries three key implications -

- (1) **Developmental concept:** The concept is based on development, capacity building and personal autonomy of PwDs with a view to promote and ensure their rights to which the government is committed;
- (2) **Social Justice Oriented concept:** It is denoting towards the rights of PwDs to be respected for their capacities and ensuring their participation in the society as per their competence to which the government is committed;
- (3) **Protective concept:** The concept is based on protecting PwDs from all sorts of harassment and abuse likely to harm them to which the government is committed.

2.3 Action plan Objectives:

The broad objectives of the Bihar State Action plan for Empowerment of Persons with Disabilities include:

- (1) Inclusion of disability rights, values and practices into government developmental strategies, planning and programmes;
- (2) To develop an integrated management system for the coordination of disability planning, implementation and monitoring in the various line functions of all spheres of government;
- (3) Ensuring adequate budget provision in all departments of the state as well as local self-government;
- (4) To conduct public education and public awareness campaign for the welfare of the PwDs;
- (5) To build capacity at all levels for the empowerment of Persons with Disabilities.

2.4 Guiding Principles:

Principles upon which the action plan is based include:

- (1) **Self-Representation:** This means that the collective determination and wisdom of PwDs must be utilized in formulation of government strategies in the form of information and resources;
- (2) **Inclusion:** This means that all government programmes must be designed to include full & effective participation and advocacy for the rights of PwDs;
- (3) **Economic Sustainability:** This means that for the welfare of the disabled, all policies and plans developed should be integrated with potential long-term sources of finance;
- (4) **Commitment to Quality:** This means that the Government is fully committed to provide and ensure quality services to PwDs.

2.5 Action Plan Purpose:

- (1) To ensure equal opportunity and full participation of PwDs in all aspects of life through barrier free environment.
- (2) The action plan supersedes all other provisions, regulations or policies which either conflict with it, or which provide lesser protections and entitlements to PwDs.
- (3) To comply with the requirements of disability law and legislations of the country, the state government will provide education and other information resources to all stakeholders (partners – company, individuals, groups).
- (4) To take affirmative steps to promote the development and distribution of new adaptive technologies and services for PwDs.

- (5) For empowering PwDs, high priority to be given to prevention, early identification and intervention of childhood disability.
- (6) To create appropriate monitoring mechanism including disability audit.

2.6 Target Groups:

The action plan recognizes and defines all those people as 'Persons with Disabilities' (PwDs) who have been included in accordance with the definition of UNCRPD which has been ratified by the Indian Parliament on 1st Oct. 2007. In accordance with the definition of UNCRPD, disability is defined as -

“Those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others”.

3. Sector-wise Priority Areas:

The action plan identifies the relevant areas and encourages the implementation of action plans through various departments. Following sectors are identified after extensive consultation process at various levels:

3.1 Social Sector:

- (1) To increase social sensitivity and social sentience towards PwDs through various public awareness programmes so that they would live a life of dignity.
- (2) To speed up awareness generation and increase mantle towards disability prevention measures during and after pregnancy.
- (3) To undertake early detection & treatment, distribution of assistive device and development of vocational training programmes in order to rehabilitate the PwDs.
- (4) In addition to the existing social assistance programmes, will develop new comprehensive social security schemes such as insurance to ensure social justice for PwDs.
- (5) The Government shall ensure hassle free online certification process for PwDs and benefit them through single window system.
- (6) The Government shall ensure that PwDs have the right, equally with others, to own or inherit property (movable or immovable), control their financial affairs and have access to bank loans, mortgages and other forms of financial credit and assistance.

3.2 Economic Sector:

- (1) To ensure 4% reservation for PwDs in the vacancies in government, semi-government and

all government aided institutions.

- (2) Encourage employment in private sector by appropriate skill development of PwDs.
- (3) To encourage PwDs for self-employment by providing subsidy and give priority in providing financial assistance to the self-help group formed by PwDs. To assist in marketing of the goods produced by them.
- (4) To ensure hassle free practice & creation of barrier-free environment and safety at the workplace.
- (5) The Government will pay special attention to transfer and posting of PwDs in high support group and their parents employed in government, semi-government, state public sector undertaking and government aided organizations to be placed in their hometown or any appropriate place where specifically required care is available.
- (6) The Government shall make specific schemes and provisions for unemployment allowance to all PwDs registered in Employment and Special Employment Exchanges.
- (7) The Government will make appropriate reservation for PwDs under sports quota.
- (8) The Government shall ensure 5% reservation for PwDs in all poverty alleviation schemes.

3.3 Political Sector:

To ensure effective participation of PwDs in planning, decision making and governance process.

3.4 Cultural Sector:

- (1) To ensure equal opportunities in recreation and cultural activities for PwDs make the recreation venues, cultural venues, sports complex accessible.
- (2) To ensure their participation in sports and cultural competitions at local, state, national and international levels.

3.5 Education Sector:

- (1) To make available free and compulsory education to children with special needs (CwSN) at least upto 18 years old.
- (2) To develop appropriate teaching system for PwDs.
- (3) Through inclusive education bring the PwDs in the mainstream of general education system.
- (4) To ensure participation of PwDs in adult education and continuing education programme equally with others.

- (5) The Government shall include the right of PwDs in the curriculum in Universities, colleges and schools to spread awareness on disability issues.
- (6) To apply 5% reservation for PwDs in all government/funded/supported institutions of higher education.
- (7) To promote higher education upper age relaxation shall be given for admission.

3.6 Health & Nutrition Sector:

- (1) To ensure availability of appropriate treatment and counselling services at all levels.
- (2) To ensure availability of automated electrical assistive device along with appropriate accessories.
- (3) To implement appropriate health awareness programmes addressing specific issues such as nutrition, leprosy cure, prevention of blindness, HIV/AIDS, sexually transmitted diseases, etc.

3.7 Basic Infrastructure:

- (1) To create a barrier free access for PwDs to all government infrastructure and public places by building, modifying and adapting.
- (2) To ensure approval of map of the proposed buildings to be constructed for the operation of public activities only in case of barrier free access for PwDs.
- (3) To ensure signage at different level in braille script as far as possible.
- (4) To ensure 5% preferential allotment of safe and accessible shelter to PwDs and their families.
- (5) To ensure 5% reservation in allotment of land on concessional rates for the purpose of promoting agriculture and livelihood generation activities.
- (6) To develop accessible and affordable multi-modal public transport system that will meet the needs of PwDs so that smooth transport facility is made available to them.
- (7) To make provision for reservation of seats and tickets on concessional rate to ensure safe and accessible journey for PwDs in the means of state transport.
- (8) To ensure provision of reasonable accommodation and facility of attendant for PwDs at workplace by the employers.
- (9) To ensure the provision of escort to PwDs as per need to perform internal and external official works.

3.8 Special Focus:

- (1) To ensure creation of barrier free environment for Children with Special Needs

(CwSN), where they would enjoy a full and decent life and their dignity, increase in self-reliance and participation in the community is ensured.

- (2) To ensure social, economic and political rights of Girls and Women with Disabilities. Be especially vigilant regarding domestic violence and all forms of violence against them and ensure their safety and protection at home, work place and public places.
- (3) To make provision for legal guardianship as per need of PwDs.
- (4) To provide safety and security at community / institutional / mass level to the elderly / aged PwDs.
- (5) To prepare special action plan for Rescue, Relief and Rehabilitation for PwDs during natural disasters.
- (6) Adopt & facilitate the National Mental Health Action plan & programmes as well as develop adequate services and ensure the availability & supply of required drugs to combat the mental illness.
- (7) To promote community care and establish halfway homes in every district.

3.9 Other:

- (1) The State Government shall constitute state fund for holistic development of PwDs.
- (2) To provide funding to intense the research & development activities in the disability sector so that inclusion of PwDs in social, economic, political and cultural sector is facilitated.
- (3) To ensure development and availability of appropriately qualified human resources by establishing training centres and/or collaborating with universities, deemed universities and professional organizations.
- (4) To develop and maintain a uniform comprehensive online Management Information System (MIS) on disability.
- (5) To follow and comply with the concept and mechanism of reasonable accommodation to ensure PwDs' participation in social, economic, cultural and political spheres.

4. Programme Implementation & Compliance:

4.1 Institutional Mechanism for the Successful Implementation of the Action Plan:

- (1) Social Welfare Department would be the nodal department for the action plan implementation and would implement, monitor, evaluate & analyze and conduct

annual review & prepare report of policies and programmes related to empowerment of PwDs. For this purpose, Directorate of Empowerment of Persons with Disability has been established.

- (2) To ensure the implementation of the action plan would be the responsibility of all the relevant departments. All the relevant departments in line with their respective areas of operation mentioned under the action plan and based on the specified tasks would prepare the action plans along with budgetary provisions and execute the same within the set timeline. For this purpose, each department will nominate a nodal officer at state level, who would monitor the implementation of departmental schemes in the light of disability. Quarterly reports by the respective nodal officers would be made available to the Directorate of Empowerment of Persons with Disabilities. Local Municipal Bodies and Panchayati Raj Institutions would play an important role in the implementation of the action plan. These institutions would include components related to disability in their projects.
- (3) In addition to their statutory obligations at the state level, the State Commissioner disability would play a major role in the implementation of the state action plan.
- (4) Government shall arrange for necessary research regarding impact assessments of disability plans & programmes and based on the results would make necessary improvements.

4.2 Creation and Monitoring of the Integrated Action Plan:

- (1) **Integrated Action Plan:** All relevant departments would prepare action plan and Social Welfare Department would consolidate the same and present to the committee of departmental Principal Secretary/Secretaries constituted and headed by the Chief Secretary for approval. According to approved integrated action plan, concerned departments would undertake implementation.
- (2) **Review and Monitoring:** State level monitoring committee headed by the Chief Secretary would each year review the implementation of work-plan. State level monitoring Committee constituted for supervision & review of the goals & relevant programmes related to Human Development Mission headed by Chief Minister, would review the monitoring points of the action plan in the light of this action plan from time to time.
- (3) **Monitoring Indicators:** Following monitoring indicators could be used for the implementation and evaluation of the action plan;
 - (a) Enrollment rate and drop out rate of the CwSN in the school / colleges, available number of educational institutions for them, schools and colleges

comprising of infrastructure facility, courses related to disability topics, etc.

- (b) **Social Empowerment:** Access for PwDs to schemes, number of established institutions for the purpose of protection and rehabilitation of PwDs, percentage of budget allocation for PwDs in the general budget, status of marriages promoted, etc.
- (c) **Economic Empowerment:** Participation rate of PwDs in employment and self-employment, the rate of their finance and credit creation, their proportion in training and skills development, condition of infrastructure facility at the workplace, etc.
- (d) **Political Empowerment:** The number of PwD representatives, proportion of PwDs in the Panchayats / Municipalities / Cooperative organizations etc.

Appendix

List of Categories of Persons with Disabilities:

- (1) Locomotor Disability
- (2) Leprosy Cured Person
- (3) Cerebral Palsy
- (4) Dwarfism
- (5) Muscular Dystrophy
- (6) Acid attack victims
- (7) Blindness
- (8) Low Vision
- (9) Deaf
- (10) Hard of Hearing
- (11) Speech and Language Disability
- (12) Intellectual Disability
- (13) Specific Learning Disabilities
- (14) Autism Spectrum Disorder
- (15) Mental Illness
- (16) Multiple Sclerosis
- (17) Parkinson's Disease
- (18) Haemophilia
- (19) Thalassemia
- (20) Sickle Cell Disease
- (21) Multiple Disability
- (22) Any other category as may be notified by the Central Government

Department-wise Strategies for implementation of State Action Plan on Empowerment of PWDs 2019-24

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
1.	S O C I A L	To increase social sensitivity and social sentience towards PwDs through various public awareness programmes so that they would live a life of dignity.	<p>1) The development and implementation of a multi-sectoral integrated disability awareness strategy, which would send this message to the different communities through a variety of media.</p> <p>2) Disability awareness programs within every line function in government; increased visibility of PwDs in the government circle, media and in society.</p> <p>3) Sensitisation of disability awareness for journalists and the public broadcaster including the disability rights message as opposed to the "pity" and "heroic" images and the positive use of role models from all groups.</p>	<p>Awareness Strategy will be developed by September, 2019.</p> <p>Implementation in phased manner - by March 2021</p>	Social Welfare Department
2.		To speed up awareness generation and increase mantle towards disability prevention measures during and after pregnancy	<p>1) The medical education curriculum shall include prevention and identification of disabilities as one of the subject/ topics for the study of medical graduates.</p> <p>2) There will be screening facilities made available at block level and efforts will be made to screen young babies. (Consultation meeting with line department if needed)</p> <p>3) Training of ANM/ Anganwadi/ ASHA workers/ Community cadres of Jeevika/ Buniyad Sathi /Professionals of Buniyad Kendra & Bihar Education Project and other Stake holders on early identification, intervention and adolescent health.</p>	<p>By May 2020</p> <p>In phased manner - by March, 2024</p> <p>In phased manner - by March, 2021</p>	<p>Education Department in consultation with Health Department & Social Welfare Department</p> <p>Health Department in consultation with Education Department & Social Welfare Department</p> <p>Social Welfare Department in consultation with Health Department</p>
3.		To undertake early detection & treatment, distribution of assistive device and developing of vocational training programmes in order to rehabilitate the PwDs	<p>1) The appropriate training of people (including physiotherapy, occupational therapy and medical technicians) involved in rehabilitation services along with Auxiliary Nurse & Midwife (ANMs), Anganwadi workers and community workers (ASHA workers). (For implementation, the provision of services of the above professionals to be made clear)</p>	<p>Training of persons involved in rehabilitation services to be undertaken in phased manner - by June 2021</p>	Health Department in consultation with Social Welfare Department

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
	S O C I A L		<p>2) Development of a decentralized service delivery system through Buniyad Kendra with line department. The support of the Gram Panchayat and Gram Sabha, Community Centre and Community Based Active Groups such as groups formed under BRLPS would be envisaged.</p> <p>3) Inter-sectoral collaboration in developing services at district and block level. Buniyad Kendra to create a joint mechanism of work in conjunction with health, education, ICDS and PWD departments.</p> <p>4) Improved health services including early identification and interventions, genetic counselling informed by international human rights norms and best practices, and effective emergency medical intervention.</p> <p>5) Provision of appropriate and affordable assistive devices (including electrical and electronic gadgets) and its maintenance - Asstt. Director, District Disability Empowerment/ Social Security Cell would be the nodal officer to implement the same. Buniyad Kendra may be used for this purpose.</p> <p>6) Assuring that the existing vocational education initiatives in Bihar are accessible to PwDs.</p>	<p>by March, 2021</p> <p>Convergence strategy to be prepared by December, 2019 after a due process of consultation Implementation by March, 2020</p> <p>By January, 2022</p> <p>By April, 2020</p> <p>By May, 2019</p>	<p>Social Welfare Department in consultation with Health Department, Panchayati Raj Department & Rural Development Department</p> <p>Social Welfare Department</p> <p>Health Department in consultation with Social Welfare Department</p> <p>Social Welfare Department in consultation with Education Department & Health Department</p> <p>Labour Resource Department in consultation with Social Welfare Department</p> <p>Social Welfare Department in consultation with Finance Department</p>
4.		<i>In addition to the existing social assistance programmes, will develop new comprehensive social security schemes such as insurance to ensure social justice for PwDs</i>	<p>1) Analysis of the existing social assistance programmes and if required evolving a new social security system by the Department of Social Welfare, with particular attention to its incentives / disincentives for empowerment, integration and employment.</p>	<p>Programme developed and sanctioned by February, 2020 and Implementation by April 2021</p>	

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
	S O C I A L		<p>1) Developing/ Enhancing/ Collaborating social assistance programme for provision of scholarships, hostels with free boarding & lodging for the ultra poor, extreme vulnerable and PwDs living in tribal areas to encourage and ensure their education.</p> <p>2) Developing and initiating safety net schemes for PwDs specific to insurance on taking analysis of the existing insurance schemes meant for PwDs</p> <p>3) Creation and Management of State Fund for PwDs</p>	<p>By April, 2021</p> <p>Schemes developed and sanctioned by February, 2020 and implemented by July, 2020</p> <p>By May, 2019</p>	<p>Social Welfare Department in consultation with Education/ SC & ST / Minority Department</p> <p>Social Welfare Department in consultation with Finance Department</p> <p>Social Welfare Department</p>
5.		The Government shall ensure hassle free online certification process for PwDs and benefit them through single window system	<p>1) Ensure hassle free Certification process for PwDs with the technical support from Buniyad Kendra/ Mobile Outreach & Therapy Van.</p> <p>2) Proper Certification of persons with multiple disabilities such as "deaf-blind and autism" to be ensured.</p> <p>3) Establishment of Certification cell in All District Hospital & Medical College & Hospitals.</p> <p>4) Ensure Disability Certification in mission mode by developing Yearly calendar.</p> <p>5) Establishment of Certification Desk at Buniyad Kendra.</p> <p>6) Regular online Certification will be issued through Implementation of UDID Project-</p> <p>a) To ensure hassle free online Certification process and generation of Unique ID (UDID) Card for PwDs under UDID Project through Buniyad Kendra.</p>	<p>By October, 2019</p> <p>By May, 2019</p> <p>By October, 2019</p> <p>Development of yearly roster in each financial year</p> <p>By March, 2020</p> <p>By July, 2019</p>	<p>Health Department in consultation with Social Welfare Department</p> <p>Health Department</p> <p>Health Department</p> <p>Social Welfare Department</p> <p>Social Welfare Department in consultation with Health Department</p> <p>Social Welfare Department in consultation with Health Department & CSC</p>

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
6.	S O C I A L	The Government shall ensure that PwDs have the right, equally with others, to own or inherit property (movable or immovable), control their financial affairs and have access to bank loans, mortgages and other forms of financial credit and assistance	<p>b) Develop Buniyad Kendra as Common Service Center for UDID Project & Disability Certification</p> <p>c) A unit of CSC e-governance to be considered at Buniyad Kendra</p> <p>7) Valid Disability Certificates (Existing & Newly issued) have to be uploaded on UDID Portal- www.swavlambancard.in . A roster of Camp in phased manner to be organised in each Buniyad Kendra through entire state. Buniyad Kendra will develop a roadmap for reach in every panchayat & urban local bodies ensuring for turn up to PwDs having valid Disability Certificates. IEC to be developed for disseminating information to the masses. Advertisement regarding uploading of valid Disability Certificates of PwDs (Existing /new) for generating UDID No./ card in camp mode.</p> <p>1) Implementation with proper government notification ensuring the rights of PwDs to own or inherit property, control their financial affairs and have access to bank loans, mortgages and other forms of financial credit and assistance</p>	Existing Certificates to be uploaded on UDID portal by March, 2021.	Health Department in consultation with Social Welfare Department
1.	E C O N O M I C	To ensure 4% reservation for PwDs in the vacancies in government, semi-government aided institutions.	1) 4% reservation for PwDs in the vacancies in government, semi-government and all government aided institutions.	Already notified	General Administration Department

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
2.	E C O N O M I C	Encourage employment in private sector by appropriate skill development of PwDs.	<ol style="list-style-type: none"> 1) Development of a database capturing the work and skill status of PwDs and creation of a skill inventory as a central register. 2) Skills development of PwDs by deepening their specialized capabilities so that they are able to access incomes through formal sector jobs, through small businesses or community projects. 3) Providing PwDs with 'apprenticeships' (opportunities to gain employment experience in actual work situations). This may require adjustments to the built environment and the acquisition/adaptation of appropriate equipment and technology for training and assessment. 4) Develop and initiate appropriate training standards in line with the market requirement by ensuring the accommodation of the specific training needs of PwD trainees. 	<p>By December, 2020</p> <p>By April, 2020</p> <p>By April, 2021</p> <p>Developed by March, 2020 and implementation by July, 2020</p>	<p>Labour Resource Department,</p> <p>Industry Department,</p> <p>Commercial Tax Department</p>
3.		To encourage PwDs for self employment by providing subsidy and give priority in providing financial assistance to the self help group formed by PwDs. To assist in marketing of the goods produced by them.	<ol style="list-style-type: none"> 1) Raising awareness amongst PwDs of their potential and their opportunities 2) Convergence with JEEVIKA for PwDs in rural areas and with Urban livelihood Mission for PwDs in urban areas. 3) To promote and support PwD entrepreneurs by designing specific financial products. 	<p>By December, 2019</p> <p>By December, 2019</p> <p>Development of scheme by May, 2020</p>	<p>Industry Department,</p> <p>Commercial Tax Department</p>
4.		To ensure hassle free practice & creation of barrier-free environment and safety at the workplace	<ol style="list-style-type: none"> 1) Workplace safety audit to be initiated by all relevant departments. 2) Healthy lifestyle promotion at school & in the workplace and on the sports field. 	<p>By August, 2021</p> <p>By April, 2020</p>	All State Departments
5.		The Government will pay special attention to transfer and posting of PwDs in high support group and their parents	<ol style="list-style-type: none"> 1) Circulars / notifications from the Government to be issued regarding transfer and posting of PwDs and parents of PwDs from high support group to be placed in their home town or any appropriate place where specifically required care is available. 	By July, 2019	General Administration Department

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
	E C O N O M I C	employed in government, semi-government, state public sector undertaking and organizations to be placed in their hometown or any appropriate place where specifically required care is available			
6.		The Government shall make specific schemes and provisions for unemployment allowance to all PwDs registered in Employment and Special Employment Exchanges	1) Provision of unemployment allowance to PwDs registered in Employment and Special Employment Exchange.	By April, 2020	Labour Resource Department
7.		The Government will make appropriate reservation for PwDs under sports quota.	1) Circulars / notifications from the government to be issued regarding appropriate reservation for PwDs under sports quota.	By July, 2019	General Administration Department
8.		The Government shall ensure 5% reservation in all poverty alleviation schemes for PwDs	1) Circulars / notifications from the Government issued regarding 5% reservation in all poverty alleviation schemes for PwDs.	By August, 2019	General Administration Department, Rural Development Department, Urban Development Department & Revenue & Land Reform Department
1.	P O L I T I C A L	To ensure effective participation of PwDs in planning, decision making and governance process	1) Effective implementation of right to vote of PwDs by appropriate awareness and accessible voting booths along with active participation in the electoral process and political life. 2) The issuance of guidelines to electoral administrators on all aspects of access to electoral services to support the mandatory national standards.	Already Implemented Already Implemented	Election Commission of Bihar

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation	
	P O L I T I C A L		<p>3) Provision of posters and equipment in voter registration sites and polling stations to allow large print posters of the ballot paper to be displayed and for simple ballot paper or polling aids to be provided in polling stations, thereby benefiting persons with partial sight and voters with multiple disabilities.</p> <p>4) Arrangement for voting through Brail medium.</p> <p>5) Provision of Wheel Chair for ambulation of Physically Challenged PwDs.</p>	<p>By coming election</p> <p>Already Implemented</p> <p>Already Implemented</p>		
1.		C U L T U R A L	<p><i>To ensure equal opportunities in recreation and cultural aeon task for PwDs make the recreation venues, cultural venues, sports complex accessible</i></p>	<p>1) Adopting & issuing guidelines / standards for social and cultural places to ensure the access and participation of PwDs in the social & cultural activities of the community.</p> <p>2) Creating accessible sporting and cultural facilities for PwDs.</p> <p>3) Ensure accessibility in public infrastructures, public utilities and public places such as recreation centres, halls for social gathering and all infrastructures where the PwDs have right of entry.</p> <p>4) Adopting & issuing guidelines / standards for access & utilization of common community assets.</p> <p>5) Establishment of Sports stadium for PwDs/ Adaptation of reasonable accommodation in existing Sports complex/ stadium for access of PwDs.</p> <p>6) Adopting & issuing guidelines / standards for access in the religious places/ Cremation centers/ Grave Yard etc.</p>	<p>By April, 2020</p> <p>By April, 2021</p> <p>By April, 2022</p> <p>By April, 2020</p> <p>By April, 2023</p>	<p>Art Culture & Youth Department, Urban Development Department, Rural Development Department, Panchaiti Raj Department, Environment, Forest & Climate change Department</p>
2.				<p>1) Ensuring participation and representation of PwDs individually or from DPGs, DPOs in the state, national and international level competitions of PwDs.</p>	<p>By April, 2020</p>	<p>Social Welfare Department</p> <p>Art Culture & Youth Department</p>

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
	C U L T U R A L		<p>2) Appropriate capacity building of the PwDs and their organizations for their representation and participation in state, national and international level competitions.</p> <p>3) The training and development of trainers/coaches familiar with sport and arts & culture for PwDs.</p> <p>4) Public education programs to make the public, PwDs (especially those living in rural areas), sponsors, sports and cultural administrators aware of the different forms of sport and cultural activities for PwDs – locally and at all other levels possible.</p> <p>5) Sports for PwDs should be 'mainstreamed' as far as possible to increase sponsorship value. In other words, it should be promoted jointly with mainstream events.</p> <p>6) Felicitations & Award ceremony of State/ National/ International/ Paralympics athletes to be tuned with the normal athletes.</p>	<p>By July, 2020</p> <p>Material developed by November 2019 and training completed by February, 2021</p> <p>Programme developed by December 2019 and implementation by February, 2021</p> <p>By July, 2020</p> <p>By September, 2019</p>	
1.	E D U C A T I O N	To make available free and compulsory education to children with special needs (CwSN) at least upto 18 years old	<p>1) Inclusive education of PwDs and enrolment of all identified CwSN.</p> <p>2) Ensure that CwSN receive quality education by devising category specific quality standards for CwSN.</p> <p>3) Devise a monitoring mechanism to ensure the retention, educational attainments and quality assurance of CwSN.</p>	By April, 2021	Education Department

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
2.	E D U C A T I O N	To develop appropriate teaching system for PwDs.	1) Effective and relevant research for facilitating higher education with adaptive technology.	By April, 2024	Education Department
2) Appropriate disability orientation to on-going pre-service and in-service teachers & other school staff.			By January, 2024		
3) Standardization of salaries of all special educators with the mainstream school teachers in accordance with the State Govt. scale and pattern of TGT and PGT.			By February, 2020		
4) Appropriate technology development in education and training.			By April, 2023		
3.	Through inclusive education bring the PwDs in the mainstream of general education system	1) Curriculum development in regular schools to ensure flexibility, addition and adaptation according to the needs of individual learners, regardless of the category to which they seem to belong.	Developed by December, 19 and implementation by June, 2022	Education Department	
2) Home based education for severely Persons with Disabilities.		By July, 2019			
3) Parent empowerment programs to encourage parent involvement in assessment and decision-making concerning their children. These programs need to occur in conjunction with the sensitization of professionals to this need.		On periodic basis - by February, 2022			
4) Early access to education for all learners, but in particular for learners with special education needs.		By June, 2020			
5) Measures towards 100% enrolment of all CwSN in inclusive/special schools in a time bound manner. This will require opening of more special schools to accommodate the backlog.		By March, 2021	Social Welfare Department		
4.	To ensure participation of PwDs in adult education & continuing Education programme equally with others	1) Provision of Adult Basic Education program so that the current adult education program includes PwDs with appropriate curriculum, access & other facilities.	By April, 2020	Education Department	

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
5.	E D U C A T I O N	The Govt. shall include the right of PWDs in the curriculum in Universities, Colleges & Schools to spread awareness on Disability issues	1) Inclusion of appropriate curriculum on disability in primary & secondary school syllabus.	By April, 2021	Education department
6.		To apply 5% reservation for PwDs in all government/funded/supported institutions of higher education	1) Circulars / notifications from the government to be issued regarding 5% reservation for PwDs in all government/funded/supported institutions of higher education. 2) All the existing regular schools, universities & institutions should be suitably adapted and accessible to PwDs.	Already implemented By January, 2023	General Administration Department Education Department, Science & Technology Department
7.		To promote Higher education upper age relaxation shall be given for admission	3) Establishment of institutions for higher education for PwDs based on category and student population. 4) Provision of scholarships for students willing to seek higher education in the country and abroad.	By July, 2024 By April, 2020	
1.	H E A L T H & N U T R I T I O N	To ensure availability of appropriate treatment and counselling services at all levels	1) Circulars / notifications from the government to be issued regarding upper age relaxation for admission in higher Education. 2) Availability of Physiotherapist, Speech therapists and other related services in Government hospitals at the block and the district is a must as they go a long way in rehabilitation of PwDs.	By April, 2019	Education Department Health Department
			2) Rehabilitation & Counselling services for PwDs through Buniyad Kendra across the state.	Already implemented	Social Welfare Department
2.		To ensure availability of automated electrical assistive device along with appropriate accessories	3) To provide comprehensive free health services to PwDs. 1) Collaboration with the education department and technology institutions for provision of appropriate assistive devices in accordance with their specific needs.	By July, 2019 By April, 2020	Health Department Social Welfare Department

Sl. No.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
3.		To implement appropriate health awareness programmes addressing specific issues such as nutrition, leprosy cure, prevention of blindness, HIV/AIDS, sexually transmitted diseases, etc.	1) Formulation and initiation of health awareness programme addressing the specific issues related to cause of disability, reproductive health, HIV/AIDS & sexually transmitted diseases.	Formulation of programme by February 2020 and implementation by June, 2022	Health Department, Social Welfare Department
1.	B A S I C I N F R A S T R U C T U R E	To create a barrier free access for PwDs to all government infrastructure and public places by building, modifying and adapting	1) Creation of Barrier free access to Government buildings, infrastructure and public places etc.	By December, 2024	Building Construction Department, Urban Development Department, Panchayati Raj Department, Road Construction Department, Transport Department
			2) Intersectional collaboration for the development of communication systems accessible to people with visual, hearing and communication disabilities.	By July, 2020	Social Welfare Department
			3) Availability of Sign language interpreters to facilitate communication to Persons with Hearing Impairment.	By March, 2020	
			4) Accessible Government Website for PwDs.	By March, 2020	Information & Public Relation Department, Information Technology Department
2.		To ensure approval of Map of the proposed buildings to be constructed for the operation of Public activities only in case of barrier free access of PwD	1) Circulars / notifications from the government to be issued regarding approval of Map of the proposed buildings to be constructed for the operation of Public activities for access of PwDs.	By July, 2019	Building Construction Department

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
3.	B A S I C I N F R A S T R U C T U R E	To ensure signage (International symbol of access) at different level in Braille script as far as possible	1) International symbol of access along with Braille script to be displayed at all government infrastructure and public places utilities.	By July, 2021	Urban Development Department, Building Construction Department, Road Construction Department, Transport Department , Panchayati Raj Department
4.		To ensure 5% preferential allotment of safe and accessible shelter to PwDs and their families	1) 5% of the government housing is reserved for PwDs with accessibility ensured.	By September, 2019	General Administration Department, Urban Development Department, Rural Development Department, Revenue & Land Reform Department
5.		To ensure 5% reservation in allotment of land on concessional rates for the purpose of promoting agriculture and livelihood generation activities	1) Circulars/ notifications from the government to be issued regarding 5% reservation in allotment of land on concessional rates for the purpose of promoting agriculture and livelihood generation activities.	By August, 2019	General Administration Department, Revenue & Land Reform Department, Agricultural Department
6.		To develop accessible and affordable multi-modal public transport system that will meet the needs of PwDs so that smooth transport facility is made available to them.	1) Transport systems to ensure that CWSN reach educational institutions 2) Development of preferential parking places in the city in consultation with the stakeholder.	By April, 2020	Transport Department
7.		To make provision for reservation of seats and tickets on concessional rate to ensure safe and accessible journey for PwDs in the means of state transport.	1) Provision to be made in phased manner for reservation of seats in buses. The reserved seat preferably in front of the first gate along with the provision to accommodate wheel chair thereon with proper signage of disability.	By August, 2023	Transport Department

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
	B A S I C I N F R A S T R U C T U R E		<p>2) Tickets on concessional rate to ensure accessible journey for PwDs in the means of state transport.</p> <p>3) Operation of Barrier free Buses in phased manner across the state.</p>	<p>By August, 2023</p> <p>By April, 2024</p>	<p>Transport Department</p>
8.		<i>To ensure provision of reasonable accommodation and facility of attendant for PwDs at workplace by the employers.</i>	1) Circulars/ notifications from the government to be issued regarding provision of reasonable accommodation and facility of attendant for PwDs at workplace by the employers.	By October, 2019	General Administration Department
9.		<i>To ensure the provision of escort to PwDs as per need to perform internal and external official works.</i>	1) Circulars/ notifications from the government to be issued regarding provision of escort to PwDs as per need to perform internal and external official works.	By October, 2019	General Administration Department
1.	S P E C I A L F O C U S	<i>To ensure creation of barrier free environment for Children with Special Needs (CwSN), where they would enjoy a full and decent life and their dignity, increase in self-reliance and participation in the community is ensured.</i>	1) Curriculum development in regular schools to ensure flexibility, addition and adaptation according to the needs of individual learners, regardless of the category to which they seem to belong.	Developed by Dec. 2021 and implementation by April, 2022	Education Department
			2) Transport systems/ allowance to ensure that CWSN reach educational institutions.	By September, 2019	
			3) All the existing regular schools, universities & institutions should be suitably adapted and accessible for inclusive education.	By June, 2022	
2.	<i>To ensure social, economic and political rights of Girls and Women with Disabilities. Be especially vigilant regarding domestic violence and all forms of violence against them and ensure their safety and protection at home, work place and public places</i>		1) Focus on enrolment of girls with disabilities for special, integrated and/ or inclusive education, vocational training and such activities.	By July, 2019 By December, 2020	Education Department, Labour Resource Department
			2) Special drives for creating awareness about recognition of women's role & contribution to the development of family, community, nation and world.	By January, 2020	Social Welfare Department
			3) Special monitoring on any kind of abuse & violence against girls & WwDs & appropriate strict actions to be taken against the guilty.		Home Department, Law Department, Social Welfare Deptt.

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
3.	S P E C I A L F O C U S	To make provision for legal guardianship as per need of PwDs	-----	By July, 2020	Social Welfare Department
4.		To provide safety and security at community / institutional / mass level to the elderly/aged PwDs	<ol style="list-style-type: none"> 1) Formulation and implementation of adult literacy programme for PwDs with appropriate pedagogy. 2) Developing safety net schemes for PwDs and elderly specific to insurance. 	<p>Formulation by July, 2020 and implementation by October, 2022</p> <p>Schemes developed by March, 2021 and implemented by April, 2023</p>	<p>Education Department</p> <p>Social Welfare Department</p>
5.		To prepare special action plan for Rescue, Relief and Rehabilitation for PwDs during natural disasters	<p>Responses to be taken after a disaster -Following a disaster, disability-related responses to support people with existing disabilities and to prevent new disabilities can be classified in two phases: The acute phase - Immediately following a disaster, priority responses include:</p> <ol style="list-style-type: none"> 1) Identifying persons with existing disabilities in temporary shelters and camps. 2) Responding to the specific health care needs of persons with existing disabilities, such as insulin for diabetics, soft mattresses for people with spinal cord injuries and spectacles for people with low vision. 3) Identifying people with injuries and providing appropriate trauma care to save lives and minimize future functional impairment and disability. 4) Implementing other curative and therapeutic interventions that can prevent disability such as prevention of pressure sores and possible deformities. 5) Transferring people with severe injuries and/or newly acquired disabilities to referral centres for medical rehabilitation. In settings where such centers do not exist, efforts should be made to ensure that such persons are treated by specialists in existing facilities. 	Immediately after the disaster	Disaster Management Department

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
	S P E C I A L F O C U S		<p>6) Establishing a multi-disciplinary task force to prepare a long-term rehabilitation program, taking into consideration the resources available and socio-economic conditions of the country.</p> <p>The reconstruction phase - In the longer-term, priority responses include:</p> <ol style="list-style-type: none"> 1) Identifying persons with existing and newly acquired disabilities, and assessing their immediate and long-term needs. 2) Conducting mapping of resources and other community assets for meeting basic needs, including general health care and medical rehabilitation services. 3) Developing the infrastructure necessary to provide medical rehabilitation services, especially therapy and assistive devices. 4) Institute Based Rehabilitation (IBR) or medical rehabilitation is focused on restoring abilities, and should begin soon after emergency trauma care has been provided and continue until the person returns to his/her community. 5) Train local health personnel and family members to perform some of the tasks of the various rehabilitation professionals. 6) Initiating a comprehensive, multi-sectoral CBR programme is essential to meet the immediate needs of PwDs (access to health care, food, shelter, education and livelihood opportunities) and help PwDs to make the best possible use of their abilities. 7) Attending to the social needs of PwDs by ensuring their integration with their families and communities and facilitating opportunities for them to earn their livelihood. 8) The Design for All concepts should be routinely adapted during the reconstruction phase. 	<p>Within a week after the disaster</p> <p>Immediately after the disaster</p> <p>Within a month after disaster</p> <p>Within a month after disaster</p> <p>Immediately after the trauma care is provided</p> <p>By March, 2024</p> <p>Within 6 month after disaster</p> <p>Within 6 month after disaster</p> <p>Within a year after disaster</p>	Disaster Management Department

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
6.	S P E C I A L F O C U S	Adopt & facilitate the National Mental Health Policy & programmes as well as develop adequate services and ensure the availability & supply of required drugs to combat the mental illness.	<ol style="list-style-type: none"> 1) Proper budget allocation for mental health services. 2) Initiating implementation of District Mental Health Programs & National Mental Health Policy in the state. 3) Certification of mentally ill with IDEAS scale & ensuring appropriate benefits under PwD Act for them. 4) Ensuring quality rehabilitative services in already existing mental health institutions in the state. 5) Strengthening of psychiatry departments in medical colleges & teaching hospitals. 6) Encouraging human resource development in the field of mental health at all levels (Psychiatrists, psychologists, social workers, nurses, neuro surgeons etc.) Capacity building on Human rights & quality care issues among health staff, service users & families. Orientation and training of existing PHC / appropriate govt. staff in mental health. 7) Establishment and proper running of appropriate Mental Health Services through District hospitals and such other existing govt. infrastructures. 8) Training to promote human rights stigma & superstitions associated with mental illness & the creation of Peer-supports groups (by people with cure mental health conditions & parents/ attendance of people with mental illness) to provide people with mental health conditions & their families emotional & practical support. 9) Encouraging private sector partnership for development of mental health services. 10) Ensuring funding for research in the field of mental health. 	<p>By March, 2020</p> <p>By September, 2020</p> <p>By July, 2019</p> <p>By May, 2019</p> <p>By August, 2020</p> <p>By April, 2022</p> <p>By October, 2021</p> <p>By April, 2023</p> <p>By April, 2021</p> <p>By April, 2020</p>	<p>Finance Department in consultation with Health Department</p> <p>Health Department</p>

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
	S P E C I A L F O C U S		<p>11) Establishment of vocational training unit to provide Tools, Develop livelihood skills and knowledge to income generation activities.</p> <p>12) Exploration of Establishment of "Dawa Dua" centers preferably at the premises of Religious places/Dargah on the concept of ancient Indian belief-Dava (Medicine) & Dua (Prayer) together cure problems faster that emphasizing the noble belief of Dava & Dua - The concept to provide holistic care, medical treatment & create awareness on mental health without disturbing their faith of those visiting the Religious place/Dargah.</p>	<p>By July, 2022</p> <p>By June, 2024</p>	
7.			<p>13) Proper linkage and collaboration among departments – Health and Family Welfare and Dept. of Social Welfare and Panchayati Raj in connection with the services for mentally ill.</p>	By July, 2020	Health Department, Social Welfare Department, Panchayati Raj Department
		To promote community care and establish halfway homes in every district	<p>1) Encouraging community based programs for mentally ill or inclusion of mentally ill in other community based programmes.</p> <p>2) Establishment of Rehabilitation/ halfway homes.</p>	By April, 2023	Health Department
1.	O T H E R	The state Government shall constitute state fund for holistic development of PwDs	<p>1) Management of State Fund for PwDs by notifying Committee.</p>	By May, 2022	Social Welfare Dept.
2.		To provide funding to intensify the research & development activities in the disability sector so that inclusion of PwDs in social, economic, political and cultural sector is facilitated	<p>1) Research that contributes to the design of systems that accommodate all citizens, not just the majority (social model of disability).</p> <p>2) Research exploring employment and economic development opportunities for PwDs.</p> <p>3) Research that explores effectiveness of long-term support systems centred on the individual.</p> <p>4) Research that investigates the impact of quality of life for PwDs in the community.</p>	<p>Already Implemented</p> <p>By April, 2023</p> <p>By April, 2022</p> <p>By April, 2024</p> <p>By April, 2024</p>	<p>Social Welfare Department</p> <p>Social Welfare Department</p>

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
3.	O T H E R	To ensure development and availability of appropriately qualified human resources by establishing training centres and/or collaborating with universities, deemed universities and professional organizations	5) Research that develops relevant information technology systems and knowledge for PwDs' easy access and use of the systems.	By April, 2022	Health Department in consultation with Social Welfare Department
			6) Research that promotes access and participation of PwDs in tribal areas on different government schemes specifically designed and earmarked for tribal.	By April, 2024	
			7) Research that promotes increased participation of Widows with Disabilities.	By April, 2023	
			8) Research that explores issues facing family and others who support PwDs.	By April, 2022	
			9) Research that explores adaptation of plant and machines for increasing employment opportunities in the industrial & other mechanized sectors.	By April, 2023	
			1) Training programs for medical and allied health personnel must be developed to facilitate an understanding of the implications of the delivery of health services within the Social and Human Rights Model.	By June, 2022	
			2) Establishment of Training institution to run training Programmes in the field of Disability Rehabilitation & Special Education.	By April, 2021	
			3) Encouraging human resource development in the field of mental health at all levels (Psychiatrists, psychologists, social workers, nurses, neurosurgeons etc.).	By April, 2022	
			4) Encouraging human resource development in the field of multiple disabilities & ensuring appropriate funding for such avenues.	By July, 2020	
			5) All social welfare officers should receive intensive training on social development issues specific to PwDs.	By May, 2023	
			6) All service providers within the Private Sector to undertake compulsory certification training to facilitate equitable access to such goods, facilities and services to PwDs.	By April, 2022	

Sl.	Sector	Action-plan Statement	Strategies to implement Action-plan	Timeline	Responsible Department for Implementation
4.	O T H E R	To develop and maintain a uniform comprehensive online Management Information System (MIS) on disability	<p>1) Data collection in conjunction with national censuses and household surveys, undertaken in close collaboration with, amongst others, universities, research institutes and NGOs/DPOs.</p> <p>2) Development of a comprehensive MIS to capture all data related to PwDs with mechanism of sharing and updating information by all the departments relevant to their respective sector.</p> <p>3) Development of a database to provide information on the causes of disability, services, existing research, needs of PwDs and the incidence of impairment.</p> <p>4) Special helpline for PwDs created with appropriately trained personnel in place.</p>	<p>By January, 2021</p> <p>By December, 2021</p> <p>By April, 2021</p> <p>By July, 2020</p>	<p>Social Welfare Department, Education Department</p> <p>Social Welfare Department</p>
5.		To follow and comply with the concept and mechanism of reasonable accommodation to ensure PwDs' participation in social, economic, cultural and political spheres.	<p>1) Guidelines on reasonable accommodation prepared by SAKSHAM & Barrier free guidelines developed by Govt to be circulated to all the govt. departments, institutions, colleges & universities, public places and public utilities for implementation.</p> <p>2) Encouraging and promoting the concept of reasonable accommodation in corporate and other private sectors of the society.</p>	<p>By July, 2019</p> <p>By May, 2021</p>	<p>Social Welfare Department</p>

Annexure-I

Provisions of RPD Act, 2016 and its implementing Department/ Body

Section	Provision	Implementing Department/ body
3	<p>Equality and Non-discrimination</p> <p>(1) The appropriate Government shall ensure that the persons with disabilities enjoy the right to equality, life with dignity and respect for his or her integrity equally with others.</p> <p>(2) The appropriate Government shall take steps to utilise the capacity of persons with disabilities by providing appropriate environment.</p> <p>(3) No person with disability shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.</p> <p>(4) No person shall be deprived of his or her personal liberty only on the ground of disability.</p> <p>(5) The appropriate Government shall take necessary steps to ensure reasonable accommodation for persons with disabilities.</p>	Social Welfare Department
4	<p>Women and children with disabilities</p> <p>(1) The appropriate Government and the local authorities shall take measures to ensure that the women and children with disabilities enjoy their rights equally with others.</p> <p>(2) The appropriate Government and local authorities shall ensure that all children with disabilities shall have right on an equal basis to freely express their views on all matters affecting them and provide them appropriate support keeping in view their age and disability.”.</p>	Social Welfare Department
5	<p>Community life</p> <p>(1) The persons with disabilities shall have the right to live in the community.</p> <p>(2) The appropriate Government shall endeavour that the persons with disabilities are,—</p> <p>(a) Not obliged to live in any particular living arrangement; and</p> <p>(b) Given access to a range of in-house, residential and other community support services, including personal assistance necessary to support living with due regard to age and gender.</p> <p>(1) The appropriate Government shall take measures to protect persons with disabilities from being subjected to torture, cruel, inhuman or degrading treatment.</p> <p>(2) No person with disability shall be a subject of any research without,—</p> <p>(i) his or her free and informed consent obtained through accessible modes, means and formats of communication; and</p> <p>(ii) prior permission of a Committee for Research on Disability constituted in the prescribed manner for the purpose by the appropriate Government in which not less than half of the Members shall themselves be either persons with disabilities or Members of the registered organisation as defined under clause (z) of section 2.</p>	Social Welfare Department

Section	Provision	Implementing Department/ body
6	<p>Protection from cruelty and inhuman treatment</p> <p>(1) The appropriate Government shall take measures to protect persons with disabilities from being subjected to torture, cruel, inhuman or degrading treatment.</p> <p>(2) No person with disability shall be a subject of any research without,—</p> <p>(i) his or her free and informed consent obtained through accessible modes, means and formats of communication; and</p> <p>(ii) prior permission of a Committee for Research on Disability constituted in the prescribed manner for the purpose by the appropriate Government in which not less than half of the Members shall themselves be either persons with disabilities or Members of the registered organisation as defined under clause (z) of section 2.</p>	Social Welfare Department
7	<p>Protection from abuse, violence and exploitation</p> <p>(1) The appropriate Government shall take measures to protect persons with disabilities from all forms of abuse, violence and exploitation and to prevent the same, shall—</p> <p>(a) take cognizance of incidents of abuse, violence and exploitation and provide legal remedies available against such incidents;</p> <p>(b) take steps for avoiding such incidents and prescribe the procedure for its reporting;</p> <p>(c) take steps to rescue, protect and rehabilitate victims of such incidents; and</p> <p>(d) create awareness and make available information among the public.</p> <p>(2) Any person or registered organisation who or which has reason to believe that an act of abuse, violence or exploitation has been, or is being, or is likely to be committed against any person with disability, may give information about it to the Executive Magistrate within the local limits of whose jurisdiction such incidents occur.</p> <p>(3) The Executive Magistrate on receipt of such information, shall take immediate steps to stop or prevent its occurrence, as the case may be, or pass such order as he deems fit for the protection of such person with disability including an order—</p> <p>(a) to rescue the victim of such act, authorising the police or any organization working for persons with disabilities to provide for the safe custody or rehabilitation of such person, or both, as the case may be;</p> <p>(b) for providing protective custody to the person with disability, if such person so desires;</p> <p>(c) to provide maintenance to such person with disability.</p> <p>(4) Any police officer who receives a complaint or otherwise comes to know of abuse, violence or exploitation towards any person with disability shall inform the aggrieved person of—</p> <p>(a) his or her right to apply for protection under sub-section (2) and the particulars of the Executive Magistrate having jurisdiction to provide assistance;</p> <p>(b) the particulars of the nearest organisation or institution working for the rehabilitation of persons with disabilities;</p> <p>(c) the right to free legal aid; and</p> <p>(d) the right to file a complaint under the provisions of this Act or any other law dealing with such offence:</p>	Social Welfare Department & District's General and Police Administration

Section	Provision	Implementing Department/ body
	<p>Provided that nothing in this section shall be construed in any manner as to relieve the police officer from his duty to proceed in accordance with law upon receipt of information as to the commission of a cognizable offence.</p> <p>(5) If the Executive Magistrate finds that the alleged act or behaviour constitutes an offence under the Indian Penal Code, or under any other law for the time being in force, he may forward the complaint to that effect to the Judicial or Metropolitan Magistrate, as the case may be, having jurisdiction in the matter.</p>	
8	<p>Protection and safety</p> <p>(1) The persons with disabilities shall have equal protection and safety in situations of risk, armed conflict, humanitarian emergencies and natural disasters.</p> <p>(2) The National Disaster Management Authority and the State Disaster Management Authority shall take appropriate measures to ensure inclusion of persons with disabilities in its disaster management activities as defined under clause (e) of section 2 of the Disaster Management Act, 2005 for the safety and protection of persons with disabilities.</p> <p>(3) The District Disaster Management Authority constituted under section 25 of the Disaster Management Act, 2005 shall maintain record of details of persons with disabilities in the district and take suitable measures to inform such persons of any situations of risk so as to enhance disaster preparedness.</p> <p>(4) The authorities engaged in reconstruction activities subsequent to any situation of risk, armed conflict or natural disasters shall undertake such activities, in consultation with the concerned State Commissioner, in accordance with the accessibility requirements of persons with disabilities.</p>	<p>Social Welfare Department & State Disaster Management Department</p>
9	<p>Home and family</p> <p>(1) No child with disability shall be separated from his or her parents on the ground of disability except on an order of competent court, if required, in the best interest of the child.</p> <p>(2) Where the parents are unable to take care of a child with disability, the competent court shall place such child with his or her near relations, and failing that within the community in a family setting or in exceptional cases in shelter home run by the appropriate Government or non-governmental organisation, as may be required.</p>	<p>Social Welfare Department & Law Department</p>
10	<p>Reproductive rights</p> <p>(1) The appropriate Government shall ensure that persons with disabilities have access to appropriate information regarding reproductive and family planning.</p> <p>(2) No person with disability shall be subject to any medical procedure which leads to infertility without his or her free and informed consent.</p>	<p>Social Welfare Department & Health Department</p>
11	<p>Accessibility in voting</p> <p>The Election Commission of India and the State Election Commissions shall ensure that all polling stations are accessible to persons with disabilities and all materials related to the electoral process are easily understandable by and accessible to them.</p>	<p>State Election Commission Office</p>

Section	Provision	Implementing Department/ body
<p>12</p>	<p>Access to justice</p> <p>(1) The appropriate Government shall ensure that persons with disabilities are able to exercise the right to access any court, tribunal, authority, commission or any other body having judicial or quasi-judicial or investigative powers without discrimination on the basis of disability.</p> <p>(2) The appropriate Government shall take steps to put in place suitable support measures for persons with disabilities specially those living outside family and those disabled requiring high support for exercising legal rights.</p> <p>(3) The National Legal Services Authority and the State Legal Services Authorities constituted under the Legal Services Authorities Act, 1987 shall make provisions including reasonable accommodation to ensure that persons with disabilities have access to any scheme, programme, facility or service offered by them equally with others.</p> <p>(4) The appropriate Government shall take steps to—</p> <p>(a) ensure that all their public documents are in accessible formats;</p> <p>(b) ensure that the filing departments, registry or any other office of records are supplied with necessary equipment to enable filing, storing and referring to the documents and evidence in accessible formats; and</p> <p>(c) make available all necessary facilities and equipment to facilitate recording of testimonies, arguments or opinion given by persons with disabilities in their preferred language and means of communication.</p>	<p>Social Welfare Department, Law Department & State Legal Service Authority</p>
<p>13</p>	<p>Legal capacity</p> <p>(1) The appropriate Government shall ensure that the persons with disabilities have right, equally with others, to own or inherit property, movable or immovable, control their financial affairs and have access to bank loans, mortgages and other forms of financial credit.</p> <p>(2) The appropriate Government shall ensure that the persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life and have the right to equal recognition everywhere as any other person before the law.</p> <p>(3) When a conflict of interest arises between a person providing support and a person with disability in a particular financial, property or other economic transaction, then such supporting person shall abstain from providing support to the person with disability in that transaction: Provided that there shall not be a presumption of conflict of interest just on the basis that the supporting person is related to the person with disability by blood, affinity or adoption.</p> <p>(4) A person with disability may alter, modify or dismantle any support arrangement and seek the support of another: Provided that such alteration, modification or dismantling shall be prospective in nature and shall not nullify any third party transaction entered into by the person with disability with the aforesaid support arrangement.</p> <p>(5) Any person providing support to the person with disability shall not exercise undue influence and shall respect his or her autonomy, dignity and privacy.</p>	<p>Social Welfare Department, Financial Institutions & Law Department</p>

Section	Provision	Implementing Department/ body
<p>14</p>	<p>Provision for guardianship</p> <p>(1) Notwithstanding anything contained in any other law for the time being in force, on and from the date of commencement of this Act, where a district court or any designated authority, as notified by the State Government, finds that a person with disability, who had been provided adequate and appropriate support but is unable to take legally binding decisions, may be provided further support of a limited guardian to take legally binding decisions on his behalf in consultation with such person, in such manner, as may be prescribed by the State Government:</p> <p>Provided that the District Court or the designated authority, as the case may be, may grant total support to the person with disability requiring such support or where the limited guardianship is to be granted repeatedly, in which case, the decision regarding the support to be provided shall be reviewed by the Court or the designated authority, as the case may be, to determine the nature and manner of support to be provided.</p> <p>Explanation.-For the purposes of this sub-section, “limited guardianship” means a system of joint decision which operates on mutual understanding and trust between the guardian and the person with disability, which shall be limited to a specific period and for specific decision and situation and shall operate in accordance to the will of the person with disability.</p> <p>(2) On and from the date of commencement of this Act, every guardian appointed under any provision of any other law for the time being in force, for a person with disability shall be deemed to function as a limited guardian.</p> <p>(3) Any person with disability aggrieved by the decision of the designated authority appointing a legal guardian may prefer an appeal to such appellate authority, as may be notified by the State Government for the purpose.</p>	<p>Social Welfare Department & Law Department</p>
<p>15</p>	<p>Designation of authorities to support</p> <p>(1) The appropriate Government shall designate one or more authorities to mobilize the community and create social awareness to support persons with disabilities in exercise of their legal capacity.</p> <p>(2) The authority designated under sub-section (1) shall take measures for setting up suitable support arrangements to exercise legal capacity by persons with disabilities living in institutions and those with high support needs and any other measures as may be required.</p>	<p>Social Welfare Department</p>
<p>16</p>	<p>Duty of educational institutions</p> <p>The appropriate Government and the local authorities shall endeavour that all educational institutions funded or recognised by them provide inclusive education to the children with disabilities and towards that end shall—</p> <p>(i) admit them without discrimination and provide education and opportunities for sports and recreation activities equally with others;</p> <p>(ii) make building, campus and various facilities accessible;</p> <p>(iii) provide reasonable accommodation according to the individual's requirements;</p> <p>(iv) provide necessary support individualised or otherwise in environments that maximise academic and social development consistent with the goal of full inclusion;</p> <p>(v) ensure that the education to persons who are blind or deaf or both is imparted in the most appropriate languages and modes and means of communication;</p>	<p>Social Welfare Department, Education Department & Bihar Education Project Council</p>

Section	Provision	Implementing Department/ body
	<p>(vi) detect specific learning disabilities in children at the earliest and take suitable pedagogical and other measures to overcome them;</p> <p>(vii) monitor participation, progress in terms of attainment levels and completion of education in respect of every student with disability;</p> <p>(viii) provide transportation facilities to the children with disabilities and also the attendant of the children with disabilities having high support needs.</p>	
<p>17</p>	<p>Specific measures to promote and facilitate inclusive education</p> <p>The appropriate Government and the local authorities shall take the following measures for the purpose of section 16, namely:—</p> <p>(a) to conduct survey of school going children in every five years for identifying children with disabilities, ascertaining their special needs and the extent to which these are being met:</p> <p>Provided that the first survey shall be conducted within a period of two years from the date of commencement of this Act;</p> <p>(b) to establish adequate number of teacher training institutions;</p> <p>(c) to train and employ teachers, including teachers with disability who are qualified in sign language and Braille and also teachers who are trained in teaching children with intellectual disability;</p> <p>(d) to train professionals and staff to support inclusive education at all levels of school education;</p> <p>(e) to establish adequate number of resource centres to support educational institutions at all levels of school education;</p> <p>(f) to promote the use of appropriate augmentative and alternative modes including means and formats of communication, Braille and sign language to supplement the use of one's own speech to fulfill the daily communication needs of persons with speech, communication or language disabilities and enables them to participate and contribute to their community and society;</p> <p>(g) to provide books, other learning materials and appropriate assistive devices to students with benchmark disabilities free of cost up to the age of eighteen years;</p> <p>(h) to provide scholarships in appropriate cases to students with benchmark disability;</p> <p>(i) to make suitable modifications in the curriculum and examination system to meet the needs of students with disabilities such as extra time for completion of examination paper, facility of scribe or amanuensis, exemption from second and third language courses;</p> <p>(j) to promote research to improve learning; and</p> <p>(k) any other measures, as may be required.</p>	<p>Education Department & Bihar Education Project Council</p>
<p>18</p>	<p>Adult education</p> <p>The appropriate Government and the local authorities shall take measures to promote, protect and ensure participation of persons with disabilities in adult education and continuing education programmes equally with others.</p>	<p>Education Department & Directorate of Mass Education</p>

Section	Provision	Implementing Department/ body
19	<p>Vocational training and self employment</p> <p>(1) The appropriate Government shall formulate schemes and programmes including provision of loans at concessional rates to facilitate and support employment of persons with disabilities especially for their vocational training and self-employment.</p> <p>(2) The schemes and programmes referred to in sub-section (1) shall provide for—</p> <p>(a) inclusion of person with disability in all mainstream formal and non-formal vocational and skill training schemes and programmes;</p> <p>(b) to ensure that a person with disability has adequate support and facilities to avail specific training;</p> <p>(c) exclusive skill training programmes for persons with disabilities with active links with the market, for those with developmental, intellectual, multiple disabilities and autism;</p> <p>(d) loans at concessional rates including that of microcredit;</p> <p>(e) marketing the products made by persons with disabilities; and</p> <p>(f) maintenance of disaggregated data on the progress made in the skill training and self-employment, including persons with disabilities.</p>	Social Welfare Department, Labour Resource Department & Bihar Kaushal Vikas Mission
20	<p>Nondiscrimination in employment</p> <p>(1) No Government establishment shall discriminate against any person with disability in any matter relating to employment: Provided that the appropriate Government may, having regard to the type of work carried on in any establishment, by notification and subject to such conditions, if any, exempt any establishment from the provisions of this section.</p> <p>(2) Every Government establishment shall provide reasonable accommodation and appropriate barrier free and conducive environment to employees with disability.</p> <p>(3) No promotion shall be denied to a person merely on the ground of disability.</p> <p>(4) No Government establishment shall dispense with or reduce in rank, an employee who acquires a disability during his or her service: Provided that, if an employee after acquiring disability is not suitable for the post he was holding, shall be shifted to some other post with the same pay scale and service benefits: Provided further that if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier.</p> <p>(5) The appropriate Government may frame policies for posting and transfer of employees with disabilities.</p>	Labour Resource Department & General Administration Department
21	<p>Equal opportunity policy</p> <p>(1) Every establishment shall notify equal opportunity policy detailing measures proposed to be taken by it in pursuance of the provisions of this Chapter in the manner as may be prescribed by the Central Government.</p> <p>(2) Every establishment shall register a copy of the said policy with the Chief Commissioner or the State Commissioner, as the case may be.</p>	Labour Resource Department & Office of the State Commissioner, Disability

Section	Provision	Implementing Department/ body
22	<p>Maintenance of records</p> <p>(1) Every establishment shall maintain records of the persons with disabilities in relation to the matter of employment, facilities provided and other necessary information in compliance with the provisions of this Chapter in such form and manner as may be prescribed by the Central Government.</p> <p>(2) Every employment exchange shall maintain records of persons with disabilities seeking employment.</p> <p>(3) The records maintained under sub-section (1) shall be open to inspection at all reasonable hours by such persons as may be authorised in their behalf by the appropriate Government</p>	Labour Resource Department & Office of Special Employment Exchange
23	<p>Appointment of Grievance Redressal Officer</p> <p>(1) Every Government establishment shall appoint a Grievance Redressal Officer for the purpose of section 19 and shall inform the Chief Commissioner or the State Commissioner, as the case may be, about the appointment of such officer.</p> <p>(2) Any person aggrieved with the non-compliance of the provisions of section 20, may file a complaint with the Grievance Redressal Officer, who shall investigate it and shall take up the matter with the establishment for corrective action.</p> <p>(3) The Grievance Redressal Officer shall maintain a register of complaints in the manner as may be prescribed by the Central Government, and every complaint shall be inquired within two weeks of its registration.</p> <p>(4) If the aggrieved person is not satisfied with the action taken on his or her complaint, he or she may approach the District-Level Committee on disability.</p>	General Administration Department
24	<p>Social security</p> <p>(1) The appropriate Government shall within the limit of its economic capacity and development formulate necessary schemes and programmes to safeguard and promote the right of persons with disabilities for adequate standard of living to enable them to live independently or in the community: Provided that the quantum of assistance to the persons with disabilities under such schemes and programmes shall be at least twenty-five per cent. higher than the similar schemes applicable to others.</p> <p>(2) The appropriate Government while devising these schemes and programmes shall give due consideration to the diversity of disability, gender, age, and socio-economic status.</p> <p>(3) The schemes under sub-section (1) shall provide for,—</p> <p>(a) community centres with good living conditions in terms of safety, sanitation, health care and counselling;</p> <p>(b) facilities for persons including children with disabilities who have no family or have been abandoned, or are without shelter or livelihood;</p> <p>(c) support during natural or man-made disasters and in areas of conflict;</p> <p>(d) support to women with disability for livelihood and for upbringing of their children;</p> <p>(e) access to safe drinking water and appropriate and accessible sanitation facilities especially in urban slums and rural areas;</p>	Social Welfare Department

Section	Provision	Implementing Department/ body
	<p>(f) provisions of aids and appliances, medicine and diagnostic services and corrective surgery free of cost to persons with disabilities with such income ceiling as may be notified;</p> <p>(g) disability pension to persons with disabilities subject to such income ceiling as may be notified;</p> <p>(h) unemployment allowance to persons with disabilities registered with Special Employment Exchange for more than two years and who could not be placed in any gainful occupation;</p> <p>(i) care-giver allowance to persons with disabilities with high support needs;</p> <p>(j) comprehensive insurance scheme for persons with disability, not covered under the Employees State Insurance Schemes, or any other statutory or Government sponsored insurance schemes;</p> <p>(k) any other matter which the appropriate Government may think fit.</p>	
25	<p>Healthcare</p> <p>(1) The appropriate Government and the local authorities shall take necessary measures for the persons with disabilities to provide,—</p> <p>(a) free healthcare in the vicinity specially in rural area subject to such family income as may be notified;</p> <p>(b) barrier-free access in all parts of Government and private hospitals and other healthcare institutions and centres;</p> <p>(c) priority in attendance and treatment.</p> <p>(2) The appropriate Government and the local authorities shall take measures and make schemes or programmes to promote healthcare and prevent the occurrence of disabilities and for the said purpose shall—</p> <p>(a) undertake or cause to be undertaken surveys, investigations and research concerning the cause of occurrence of disabilities;</p> <p>(b) promote various methods for preventing disabilities;</p> <p>(c) screen all the children at least once in a year for the purpose of identifying “at-risk” cases;</p> <p>(d) provide facilities for training to the staff at the primary health centres;</p> <p>(e) sponsor or cause to be sponsored awareness campaigns and disseminate or cause to be disseminated information for general hygiene, health and sanitation;</p> <p>(f) take measures for pre-natal, perinatal and post-natal care of mother and child;</p> <p>(g) educate the public through the pre-schools, schools, primary health centres, village level workers and anganwadi workers;</p> <p>(h) create awareness amongst the masses through television, radio and other mass media on the causes of disabilities and the preventive measures to be adopted;</p> <p>(i) healthcare during the time of natural disasters and other situations of risk;</p> <p>(j) essential medical facilities for life saving emergency treatment and procedures; and</p> <p>(k) sexual and reproductive healthcare especially for women with disability.</p>	Health Department

Section	Provision	Implementing Department/ body
26	Insurance schemes The appropriate Government shall, by notification, make insurance schemes for their employees with disabilities.	General Administration Department
27	Rehabilitation (1) The appropriate Government and the local authorities shall within their economic capacity and development, undertake or cause to be undertaken services and programmes of rehabilitation, particularly in the areas of health, education and employment for all persons with disabilities. (2) For the purposes of sub-section (1), the appropriate Government and the local authorities may grant financial assistance to non-Governmental Organisations. (3) The appropriate Government and the local authorities, while formulating rehabilitation policies shall consult the non-Governmental Organisations working for the cause of persons with disabilities.	Social Welfare Department, Health Department, Education Department & Labour Resource Department
28	Research and development The appropriate Government shall initiate or cause to be initiated research and development through individuals and institutions on issues which shall enhance habilitation and rehabilitation and on such other issues which are necessary for the empowerment of persons with disabilities.	Social Welfare Department
29	Culture and recreation The appropriate Government and the local authorities shall take measures to promote and protect the rights of all persons with disabilities to have a cultural life and to participate in recreational activities equally with others which include,— (a) facilities, support and sponsorships to artists and writers with disability to pursue their interests and talents; (b) establishment of a disability history museum which chronicles and interprets the historical experiences of persons with disabilities; (c) making art accessible to persons with disabilities; (d) promoting recreation centres, and other associational activities; (e) facilitating participation in scouting, dancing, art classes, outdoor camps and adventure activities; (f) redesigning courses in cultural and arts subjects to enable participation and access for persons with disabilities; (g) developing technology, assistive devices and equipments to facilitate access and inclusion for persons with disabilities in recreational activities; and (h) ensuring that persons with hearing impairment can have access to television programmes with sign language interpretation or sub-titles.	Social Welfare Department, Urban Development Department, Rural Development Department, Environment & Forest Department and Art, Culture & Youth Department
30	Sporting activities (1) The appropriate Government shall take measures to ensure effective participation in sporting activities of the persons with disabilities.	Art, Culture & Youth Department

Section	Provision	Implementing Department/ body
	<p>(2) The sports authorities shall accord due recognition to the right of persons with disabilities to participate in sports and shall make due provisions for the inclusion of persons with disabilities in their schemes and programmes for the promotion and development of sporting talents.</p> <p>(3) Without prejudice to the provisions contained in sub-sections (1) and (2), the appropriate Government and the sports authorities shall take measures to,—</p> <p>(a) restructure courses and programmes to ensure access, inclusion and participation of persons with disabilities in all sporting activities;</p> <p>(b) redesign and support infrastructure facilities of all sporting activities for persons with disabilities;</p> <p>(c) develop technology to enhance potential, talent, capacity and ability in sporting activities of all persons with disabilities;</p> <p>(d) provide multi-sensory essentials and features in all sporting activities to ensure effective participation of all persons with disabilities;</p> <p>(e) allocate funds for development of state of art sport facilities for training of persons with disabilities;</p> <p>(f) promote and organise disability specific sporting events for persons with disabilities and also facilitate awards to the winners and other participants of such sporting events.</p>	
31	<p>Free education for children with benchmark disabilities</p> <p>(1) Notwithstanding anything contained in the Rights of Children to Free and Compulsory Education Act, 2009, every child with benchmark disability between the age of six to eighteen years shall have the right to free education in a neighbourhood school, or in a special school, of his choice.</p> <p>(2) The appropriate Government and local authorities shall ensure that every child with benchmark disability has access to free education in an appropriate environment till he attains the age of eighteen years.</p>	Education Department
32	<p>Reservation in higher educational institutions</p> <p>(1) All Government institutions of higher education and other higher education institutions receiving aid from the Government shall reserve not less than five per cent. Seats for persons with benchmark disabilities.</p> <p>(2) The persons with benchmark disabilities shall be given an upper age relaxation of five years for admission in institutions of higher education.</p>	General Administration Department & Education Department
33	<p>Identification of posts for reservation</p> <p>The appropriate Government shall—</p> <p>(i) identify posts in the establishments which can be held by respective category of persons with benchmark disabilities in respect of the vacancies reserved in accordance with the provisions of section 34;</p> <p>(ii) constitute an expert committee with representation of persons with benchmark disabilities for identification of such posts; and</p> <p>(iii) undertake periodic review of the identified posts at an interval not exceeding three years.</p>	General Administration Department

Section	Provision	Implementing Department/ body
<p>34</p>	<p>Reservation</p> <p>(1) Every appropriate Government shall appoint in every Government establishment, not less than four per cent. of the total number of vacancies in the cadre strength in each group of posts meant to be filled with persons with benchmark disabilities of which, one per cent. each shall be reserved for persons with benchmark disabilities under clauses (a), (b) and (c) and one per cent. for persons with benchmark disabilities under clauses (d) and (e), namely:—</p> <ul style="list-style-type: none"> (a) blindness and low vision; (b) deaf and hard of hearing; (c) locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy; (d) autism, intellectual disability, specific learning disability and mental illness; (e) multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities: <p>Provided that the reservation in promotion shall be in accordance with such instructions as are issued by the appropriate Government from time to time:</p> <p>Provided further that the appropriate Government, in consultation with the Chief Commissioner or the State Commissioner, as the case may be, may, having regard to the type of work carried out in any Government establishment, by notification and subject to such conditions, if any, as may be specified in such notifications exempt any Government establishment from the provisions of this section.</p> <p>(2) Where in any recruitment year any vacancy cannot be filled up due to non availability of a suitable person with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with benchmark disability is not available, it may first be filled by interchange among the five categories and only when there is no person with disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability: Provided that if the nature of vacancies in an establishment is such that a given category of person cannot be employed, the vacancies may be interchanged among the five categories with the prior approval of the appropriate Government.</p> <p>(3) The appropriate Government may, by notification, provide for such relaxation of upper age limit for employment of persons with benchmark disability, as it thinks fit.</p>	<p>General Administration Department</p>
<p>35</p>	<p>Incentives to employers in private sector</p> <p>The appropriate Government and the local authorities shall, within the limit of their economic capacity and development, provide incentives to employer in private sector to ensure that at least five per cent. of their work force is composed of persons with benchmark disability.</p>	<p>Labour Resource Department & Industry Department Commercial Tax Department</p>

Section	Provision	Implementing Department/ body
36	<p>Special employment exchange</p> <p>The appropriate Government may, by notification, require that from such date, the employer in every establishment shall furnish such information or return as may be prescribed by the Central Government in relation to vacancies appointed for persons with benchmark disability that have occurred or are about to occur in that establishment to such special employment exchange as may be notified by the Central Government and the establishment shall thereupon comply with such requisition.</p>	Labour Resource Department & Office of Special Employment Exchange
37	<p>Special schemes and development programmes</p> <p>The appropriate Government and the local authorities shall, by notification, make schemes in favour of persons with benchmark disabilities, to provide,—</p> <p>(a) five per cent. reservation in allotment of agricultural land and housing in all relevant schemes and development programmes, with appropriate priority to women with benchmark disabilities;</p> <p>(b) five per cent reservation in all poverty alleviation and various developmental schemes with priority to women with benchmark disabilities;</p> <p>(c) five per cent reservation in allotment of land on concessional rate, where such land is to be used for the purpose of promoting housing, shelter, setting up of occupation, business, enterprise, recreation centres and production centres.</p>	General Administration Department, Rural Development Department, Urban Development Department & Revenue & Land Reforms Department
38	<p>Special provisions for persons with disabilities with high support</p> <p>(1) Any person with benchmark disability, who considers himself to be in need of high support, or any person or organisation on his or her behalf, may apply to an authority, to be notified by the appropriate Government, requesting to provide high support.</p> <p>(2) On receipt of an application under sub-section (1), the authority shall refer it to an Assessment Board consisting of such Members as may be prescribed by the Central Government.</p> <p>(3) The Assessment Board shall assess the case referred to it under sub-section (1) in such manner as may be prescribed by the Central Government, and shall send a report to the authority certifying the need of high support and its nature.</p> <p>(4) On receipt of a report under sub-section (3), the authority shall take steps to provide support in accordance with the report and subject to relevant schemes and orders of the appropriate Government in this behalf.</p>	Social Welfare Department & Health Department
39	<p>Awareness campaigns</p> <p>(1) The appropriate Government, in consultation with the Chief Commissioner or the State Commissioner, as the case may be, shall conduct, encourage, support or promote awareness campaigns and sensitisation programmes to ensure that the rights of the persons with disabilities provided under this Act are protected.</p> <p>(2) The programmes and campaigns specified under sub-section (1) shall also,—</p> <p>(a) promote values of inclusion, tolerance, empathy and respect for diversity;</p> <p>(b) advance recognition of the skills, merits and abilities of persons with disabilities and of their contributions to the workforce, labour market and professional fee;</p>	Social Welfare Department, Education Department, Labour Resource Department & Information & Public Relation Department

Section	Provision	Implementing Department/ body
	<p>(c) foster respect for the decisions made by persons with disabilities on all matters related to family life, relationships, bearing and raising children;</p> <p>(d) provide orientation and sensitisation at the school, college, University and professional training level on the human condition of disability and the rights of persons with disabilities;</p> <p>(e) provide orientation and sensitisation on disabling conditions and rights of persons with disabilities to employers, administrators and co-workers;</p> <p>(f) ensure that the rights of persons with disabilities are included in the curriculum in Universities, colleges and schools.</p>	
40	<p>Accessibility</p> <p>The Central Government shall, in consultation with the Chief Commissioner, formulate rules for persons with disabilities laying down the standards of accessibility for the physical environment, transportation, information and communications, including appropriate technologies and systems, and other facilities and services provided to the public in urban and rural areas.</p>	<p>The rules formulated by Central Government to be implemented as per directions</p>
41	<p>Access to Transport</p> <p>(1) The appropriate Government shall take suitable measures to provide,—</p> <p>(a) facilities for persons with disabilities at bus stops, railway stations and airports conforming to the accessibility standards relating to parking spaces, toilets, ticketing counters and ticketing machines;</p> <p>(b) access to all modes of transport that conform the design standards, including retrofitting old modes of transport, wherever technically feasible and safe for persons with disabilities, economically viable and without entailing major structural changes in design;</p> <p>(c) accessible roads to address mobility necessary for persons with disabilities.</p> <p>(2) The appropriate Government shall develop schemes programmes to promote the personal mobility of persons with disabilities at affordable cost to provide for,—</p> <p>(a) incentives and concessions; (b) retrofitting of vehicles; and (c) personal mobility assistance.</p>	<p>Transport Department & Road Construction Department</p>
42	<p>Access to information and communication technology</p> <p>The appropriate Government shall take measures to ensure that,—</p> <p>(i) all contents available in audio, print and electronic media are in accessible format;</p> <p>(ii) persons with disabilities have access to electronic media by providing audio description, sign language interpretation and close captioning;</p> <p>(iii) electronic goods and equipment which are meant for everyday use are available in universal design.</p>	<p>Public Relation Department & Information Technology Department</p>
43	<p>Consumer goods</p> <p>The appropriate Government shall take measures to promote development, production and distribution of universally designed consumer products and accessories for general use for persons with disabilities.</p>	<p>Food & Consumer Protection Department</p>

Section	Provision	Implementing Department/ body
44	<p>Mandatory observance of accessibility norms</p> <p>(1) No establishment shall be granted permission to build any structure if the building plan does not adhere to the rules formulated by the Central Government under section 40.</p> <p>(2) No establishment shall be issued a certificate of completion or allowed to take occupation of a building unless it has adhered to the rules formulated by the Central Government.</p>	Building Construction Department
45	<p>Time limit for making existing infrastructure and premises accessible and action for that purpose</p> <p>(1) All existing public buildings shall be made accessible in accordance with the rules formulated by the Central Government within a period not exceeding five years from the date of notification of such rules:</p> <p>(2) Provided that the Central Government may grant extension of time to the States on a case to case basis for adherence to this provision depending on their state of preparedness and other related parameters.</p>	Building Construction Department
46	<p>Time limit for accessibility by service providers</p> <p>The service providers whether Government or private shall provide services in accordance with the rules on accessibility formulated by the Central Government under section 40 within a period of two years from the date of notification of such rules:</p> <p>Provided that the Central Government in consultation with the Chief Commissioner may grant extension of time for providing certain category of services in accordance with the said rules.</p>	Building Construction Department
47	<p>Human resource development</p> <p>(1) Without prejudice to any function and power of Rehabilitation Council of India constituted under the Rehabilitation Council of India Act, 1992, the appropriate Government shall endeavour to develop human resource for the purposes of this Act and to that end shall,—</p> <p>(a) mandate training on disability rights in all courses for the training of Panchayati Raj Members, legislators, administrators, police officials, judges and lawyers;</p> <p>(b) induct disability as a component for all education courses for schools, colleges and University teachers, doctors, nurses, para-medical personnel, social welfare officers, rural development officers, ashra workers, anganwadi workers, engineers, architects, other professionals and community workers;</p> <p>(c) initiate capacity building programmes including training in independent living and community relationships for families, members of community and other stakeholders and care providers on care giving and support;</p> <p>(d) ensure independence training for persons with disabilities to build community relationships on mutual contribution and respect;</p> <p>(e) conduct training programmes for sports teachers with focus on sports, games, adventure activities;</p> <p>(f) any other capacity development measures as may be required.</p> <p>(2) All Universities shall promote teaching and research in disability studies including establishment of study centres for such studies.</p> <p>(3) In order to fulfil the obligation stated in sub-section (1), the appropriate Government shall in every five years undertake a need based analysis and formulate plans for the recruitment, induction, sensitisation, orientation and training of suitable personnel to undertake the various responsibilities under this Act.</p>	Social Welfare Department, General Administration Department, Panchayati Raj Department, Vidhan Mandal (Legislature) Home Department Education Department, Art, Culture & Youth Department, Health Department

Section	Provision	Implementing Department/ body
48	<p>Social audit</p> <p>The appropriate Government shall undertake social audit of all general schemes and programmes involving the persons with disabilities to ensure that the scheme and programmes do not have an adverse impact upon the persons with disabilities and need the requirements and concerns of persons with disabilities.</p>	Social Welfare Department
49	<p>Competent authority</p> <p>The State Government shall appoint an authority as it deems fit to be a competent authority for the purposes of this Chapter.</p>	Social Welfare Department
50	<p>Registration</p> <p>Save as otherwise provided under this Act, no person shall establish or maintain any institution for persons with disabilities except in accordance with a certificate of registration issued in this behalf by the competent authority: Provided that an institution for care of mentally ill persons, which holds a valid licence under section 8 of the Mental Health Act, 1987 or any other Act for the time being in force, shall not be required to be registered under this Act.</p>	Office of the State Commissioner for Persons with Disabilities
51	<p>Application and grant of certificate of registration</p> <p>(1) Every application for a certificate of registration shall be made to the competent authority in such form and in such manner as may be prescribed by the State Government.</p> <p>(2) On receipt of an application under sub-section (1), the competent authority shall make such enquiries as it may deem fit and on being satisfied that the applicant has complied with the requirements of this Act and the rules made thereunder, it shall grant a certificate of registration to the applicant within a period of ninety days of receipt of application and if not satisfied, the competent authority shall, by order, refuse to grant the certificate applied for: Provided that before making any order refusing to grant a certificate, the competent authority shall give the applicant a reasonable opportunity of being heard and every order of refusal to grant a certificate shall be communicated to the applicant in writing.</p> <p>(3) No certificate of registration shall be granted under sub-section (2) unless the institution with respect to which an application has been made is in a position to provide such facilities and meet such standards as may be prescribed by the State Government.</p> <p>(4) The certificate of registration granted under sub-section (2),—</p> <p>(a) shall, unless revoked under section 52 remain in force for such period as may be prescribed by the State Government;</p> <p>(b) may be renewed from time to time for a like period; and</p> <p>(c) shall be in such form and shall be subject to such conditions as may be prescribed by the State Government.</p> <p>(5) An application for renewal of a certificate of registration shall be made not less than sixty days before the expiry of the period of validity.</p> <p>(6) A copy of the certificate of registration shall be displayed by the institution in a conspicuous place.</p> <p>(7) Every application made under sub-section (1) or sub-section (5) shall be disposed of by the competent authority within such period as may be prescribed by the State Government.</p>	Office of the State Commissioner for Persons with Disabilities

Section	Provision	Implementing Department/ body
52	<p>Revocation of registration</p> <p>(1) The competent authority may, if it has reason to believe that the holder of a certificate of registration granted under sub-section (2) of section 51 has,—</p> <p>(a) made a statement in relation to any application for the issue or renewal of the certificate which is incorrect or false in material particulars; or</p> <p>(b) committed or has caused to be committed any breach of rules or any conditions subject to which the certificate was granted, it may, after making such inquiry, as it deems fit, by order, revoke the certificate:</p> <p>Provided that no such order shall be made until an opportunity is given to the holder of the certificate to show cause as to why the certificate of registration shall not be revoked.</p> <p>(2) Where a certificate of registration in respect of an institution has been revoked under sub-section (1), such institution shall cease to function from the date of such revocation:</p> <p>Provided that where an appeal lies under section 53 against the order of revocation, such institution shall cease to function,—</p> <p>(a) where no appeal has been preferred immediately on the expiry of the period prescribed for the filing of such appeal; or</p> <p>(b) where such appeal has been preferred, but the order of revocation has been upheld, from the date of the order of appeal.</p> <p>(3) On the revocation of a certificate of registration in respect of an institution, the competent authority may direct that any person with disability who is an inmate of such institution on the date of such revocation, shall be—</p> <p>(a) restored to the custody of his or her parent, spouse or lawful guardian, as the case may be; or</p> <p>(b) transferred to any other institution specified by the competent authority.</p> <p>(4) Every institution which holds a certificate of registration which is revoked under this section shall, immediately after such revocation, surrender such certificate to the competent authority.</p>	Office of the State Commissioner for Persons with Disabilities
53	<p>Appeal</p> <p>(1) Any person aggrieved by the order of the competent authority refusing to grant a certificate of registration or revoking a certificate of registration may, within such period as may be prescribed by the State Government, prefer an appeal to such appellate authority, as may be notified by the State Government against such refusal or revocation.</p> <p>(2) The order of the appellate authority on such appeal shall be final.</p>	Social Welfare Department
54	<p>Act not to apply to institutions established or maintained by Central or State Government</p> <p>Nothing contained in this Chapter shall apply to an institution for persons with disabilities established or maintained by the Central Government or a State Government.</p>	Social Welfare Department
55	<p>Assistance to registered institutions</p> <p>The appropriate Government may within the limits of their economic capacity and development, grant financial assistance to registered institutions to provide services and to implement the schemes and programmes in pursuance of the provisions of this Act.</p>	Social Welfare Department

Section	Provision	Implementing Department/ body
56	Guidelines for assessment of specified disabilities The Central Government shall notify guidelines for the purpose of assessing the extent of specified disability in a person.	The guidelines formulated by Central Government to be implemented as per directions. Health Department
57	Designation of certifying authorities (1) The appropriate Government shall designate persons, having requisite qualifications and experience, as certifying authorities, who shall be competent to issue the certificate of disability. (2) The appropriate Government shall also notify the jurisdiction within which and the terms and conditions subject to which, the certifying authority shall perform its certification functions.	Health Department
58	Procedure for certification (1) Any person with specified disability, may apply, in such manner as may be prescribed by the Central Government, to a certifying authority having jurisdiction, for issuing of a certificate of disability. (2) On receipt of an application under sub-section (1), the certifying authority shall assess the disability of the concerned person in accordance with relevant guidelines notified under section 56, and shall, after such assessment, as the case may be,— (a) issue a certificate of disability to such person, in such form as may be prescribed by the Central Government; (b) inform him in writing that he has no specified disability. (3) The certificate of disability issued under this section shall be valid across the country.	Health Department
59	Appeal against a decision of certifying authority (1) Any person aggrieved with decision of the certifying authority, may appeal against such decision, within such time and in such manner as may be prescribed by the State Government, to such appellate authority as the State Government may designate for the purpose. (2) On receipt of an appeal, the appellate authority shall decide the appeal in such manner as may be prescribed by the State Government.	Health Department
60	Constitution of Central Advisory Board on Disability (1) The Central Government shall, by notification, constitute a body to be known as the Central Advisory Board on Disability to exercise the powers conferred on, and to perform the functions assigned to it, under this Act. (2) The Central Advisory Board shall consist of,— (a) the Minister in charge of Department of Disability Affairs in the Central Government, Chairperson, ex officio; (b) the Minister of State in charge dealing with Department of Disability Affairs in the Ministry in the Central Government, Vice Chairperson, ex officio; (c) three Members of Parliament, of whom two shall be elected by Lok Sabha and one by the Rajya Sabha, Members, ex officio;	Central Government

Section	Provision	Implementing Department/ body
	<p>(d) the Ministers in charge of Disability Affairs of all States and Administrators or Lieutenant Governors of the Union territories, Members, ex officio;</p> <p>(e) Secretaries to the Government of India in charge of the Ministries or Departments of Disability Affairs, Social Justice and Empowerment, School Education and Literacy, and Higher Education, Women and Child Development, Expenditure, Personnel and Training, Administrative Reforms and Public Grievances, Health and Family Welfare, Rural Development, Panchayati Raj, Industrial Policy and Promotion, Urban Development, Housing and Urban Poverty Alleviation, Science and Technology, Communications and Information Technology, Legal Affairs, Public Enterprises, Youth Affairs and Sports, Road Transport and Highways and Civil Aviation, Members, ex officio;</p> <p>(f) Secretary, National Institute of Transforming India (NITI) Aayog, Member, ex officio;</p> <p>(g) Chairperson, Rehabilitation Council of India, Member, ex officio;</p> <p>(h) Chairperson, National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities, Member, ex officio;</p> <p>(i) Chairman-cum-Managing Director, National Handicapped Finance Development Corporation, Member, ex officio;</p> <p>(j) Chairman-cum-Managing Director, Artificial Limbs Manufacturing Corporation, Member, ex officio;</p> <p>(k) Chairman, Railway Board, Member, ex officio;</p> <p>(l) Director-General, Employment and Training, Ministry of Labour and Employment, Member, ex officio;</p> <p>(m) Director, National Council for Educational Research and Training, Member, ex officio;</p> <p>(n) Chairperson, National Council of Teacher Education, Member, ex officio;</p> <p>(o) Chairperson, University Grants Commission, Member, ex officio;</p> <p>(p) Chairperson, Medical Council of India, Member, ex officio;</p> <p>(q) Directors of the following Institutes:—</p> <p>(i) National Institute for the Visually Handicapped, Dehradun;</p> <p>(ii) National Institute for the Mentally Handicapped, Secunderabad;</p> <p>(iii) Pandit Deen Dayal Upadhyay Institute for the Physically Handicapped, New Delhi;</p> <p>(iv) Ali Yavar Jung National Institute for the Hearing Handicapped, Mumbai;</p> <p>(v) National Institute for the Orthopaedically Handicapped, Kolkata;</p> <p>(vi) National Institute of Rehabilitation Training and Research, Cuttack;</p> <p>(vii) National Institute for Empowerment of Persons with Multiple Disabilities, Chennai;</p> <p>(viii) National Institute for Mental Health and Sciences, Bangalore;</p> <p>(ix) Indian Sign Language Research and Training Centre, New Delhi, Members, ex officio;</p> <p>(r) Members to be nominated by the Central Government,—</p>	

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	<p>(i) five Members who are experts in the field of disability and rehabilitation;</p> <p>(ii) ten Members, as far as practicable, being persons with disabilities, to represent non-Governmental Organisations concerned with disabilities or disabled persons organisations:</p> <p>Provided that out of the ten Members nominated, at least, five Members shall be women and at least one person each shall be from the Scheduled Castes and the Scheduled Tribes;</p> <p>(iii) up to three representatives of national level chambers of commerce and industry;</p> <p>(s) Joint Secretary to the Government of India dealing with the subject of disability policy, Member-Secretary, ex officio.</p>	
61	<p>Terms and conditions of Service of members</p> <p>(1) Save as otherwise provided under this Act, a Member of the Central Advisory Board nominated under clause (r) of sub-section (2) of section 60 shall hold office for a term of three years from the date of his nomination:</p> <p>Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.</p> <p>(2) The Central Government may, if it thinks fit, remove any Member nominated under clause (r) of sub-section (2) of section 60, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same.</p> <p>(3) A Member nominated under clause (r) of sub-section (2) of section 60 may at any time resign his office by writing under his hand addressed to the Central Government and the seat of the said Member shall thereupon become vacant.</p> <p>(4) A casual vacancy in the Central Advisory Board shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated.</p> <p>(5) A Member nominated under sub-clause (i) or sub-clause (iii) of clause (r) of section 60 shall be eligible for renomination.</p> <p>(6) The Members nominated under sub-clause (i) and sub-clause (ii) of clause (r) of section 60 shall receive such allowances as may be prescribed by the Central Government.</p>	Central Government
62	<p>Disqualifications</p> <p>(1) No person shall be a Member of the Central Advisory Board, who —</p> <p>(a) is, or at any time has been, adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or</p> <p>(b) is of unsound mind and stands so declared by a competent court, or</p> <p>(c) is, or has been, convicted of an offence which, in the opinion of the Central Government, involves moral turpitude, or</p> <p>(d) is, or at any time has been, convicted of an offence under this Act, or</p>	Central Government

Section	Provision	Implementing Department/ body
	<p>(e) has so abused his position in the opinion of the Central Government as a Member so as to render his continuance in the office is prejudicial interests of the general public.</p> <p>(2) No order of removal shall be made by the Central Government under this section unless the Member concerned has been given a reasonable opportunity of showing cause against the same.</p> <p>(3) Notwithstanding anything contained in sub-section (1) or sub-section (5) of section 61, a Member who has been removed under this section shall not be eligible for renomination as a Member.</p>	
63	<p>Vacation of Seats by Members If a Member of the Central Advisory Board becomes subject to any of the disqualifications specified in section 62, his seat shall become vacant.</p>	Central Government
64	<p>Meetings of the Central Advisory Board on disability The Central Advisory Board shall meet at least once in every six months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed.</p>	Central Government
65	<p>Functions of Central Advisory Board on disability</p> <p>(1) Subject to the provisions of this Act, the Central Advisory Board on disability shall be the national-level consultative and advisory body on disability matters, and shall facilitate the continuous evolution of a comprehensive policy for the empowerment of persons with disabilities and the full enjoyment of rights.</p> <p>(2) In particular and without prejudice to the generality of the foregoing provisions, the Central Advisory Board on disability shall perform the following functions, namely:—</p> <p>(a) advise the Central Government and the State Governments on policies, programmes, legislation and projects with respect to disability;</p> <p>(b) develop a national policy to address issues concerning persons with disabilities;</p> <p>(c) review and coordinate the activities of all Departments of the Government and other Governmental and non-Governmental Organisations which are dealing with matters relating to persons with disabilities;</p> <p>(d) take up the cause of persons with disabilities with the concerned authorities and the international organisations with a view to provide for schemes and projects for the persons with disabilities in the national plans;</p> <p>(e) recommend steps to ensure accessibility, reasonable accommodation, nondiscrimination for persons with disabilities vis-à-vis information, services and the built environment and their participation in social life;</p> <p>(f) monitor and evaluate the impact of laws, policies and programmes to achieve full participation of persons with disabilities; and</p> <p>(g) such other functions as may be assigned from time to time by the Central Government.</p>	Central Government
66	<p>State Advisory Board on disability</p> <p>(1) Every State Government shall, by notification, constitute a body to be known as the State Advisory Board on disability to exercise the powers conferred on, and to perform the function assigned to it, under this Act.</p>	Social Welfare Department

Section	Provision	Implementing Department/ body
	<p>(2) The State Advisory Board shall consist of—</p> <p>(a) the Minister in charge of the Department in the State Government dealing with disability matters, Chairperson, ex officio;</p> <p>(b) the Minister of State or the Deputy Minister in charge of the Department in the State Government dealing with disability matters, if any, Vice-Chairperson, ex officio;</p> <p>(c) secretaries to the State Government in charge of the Departments of Disability Affairs, School Education, Literacy and Higher Education, Women and Child Development, Finance, Personnel and Training, Health and Family Welfare, Rural Development, Panchayati Raj, Industrial Policy and Promotion, Labour and Employment, Urban Development, Housing and Urban Poverty Alleviation, Science and Technology, Information Technology, Public Enterprises, Youth Affairs and Sports, Road Transport and any other Department, which the State Government considers necessary, Members, ex officio;</p> <p>(d) three Members of the State Legislature of whom two shall be elected by the Legislative Assembly and one by the Legislative Council, if any, and where there is no Legislative Council, three Members shall be elected by the Legislative Assembly, Members, ex officio;</p> <p>(1) Every State Government shall, by notification, constitute a body to be known as the State Advisory Board on disability to exercise the powers conferred on, and to perform the function assigned to it, under this Act.</p> <p>(2) The State Advisory Board shall consist of—</p> <p>(a) the Minister in charge of the Department in the State Government dealing with disability matters, Chairperson, ex officio;</p> <p>(b) the Minister of State or the Deputy Minister in charge of the Department in the State Government dealing with disability matters, if any, Vice-Chairperson, ex officio;</p> <p>(c) secretaries to the State Government in charge of the Departments of Disability Affairs, School Education, Literacy and Higher Education, Women and Child Development, Finance, Personnel and Training, Health and Family Welfare, Rural Development, Panchayati Raj, Industrial Policy and Promotion, Labour and Employment, Urban Development, Housing and Urban Poverty Alleviation, Science and Technology, Information Technology, Public Enterprises, Youth Affairs and Sports, Road Transport and any other Department, which the State Government considers necessary, Members, ex officio;</p> <p>(d) three Members of the State Legislature of whom two shall be elected by the Legislative Assembly and one by the Legislative Council, if any, and where there is no Legislative Council, three Members shall be elected by the Legislative Assembly, Members, ex officio;</p>	
67	<p>Terms and conditions of service of Members</p> <p>(1) Save as otherwise provided under this Act, a Member of the State Advisory Board nominated under clause (e) of sub-section (2) of section 66, shall hold office for a term of three years from the date of his nomination:</p>	Social Welfare Department

Section	Provision	Implementing Department/ body
	<p>Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.</p> <p>(2) The State Government may, if it thinks fit, remove any Member nominated under clause (e) of sub-section (2) of section 66, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same.</p> <p>(3) A Member nominated under clause (e) of sub-section (2) of section 66 may at any time resign his office by writing under his hand addressed to the State Government and the seat of the said Member shall thereupon become vacant.</p> <p>(4) A casual vacancy in the State Advisory Board shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated.</p> <p>(5) A Member nominated under sub-clause (i) or sub-clause (iii) of clause (e) of sub-section (2) of section 66 shall be eligible for renomination.</p> <p>(6) the Members nominated under sub-clause (i) and sub-clause (ii) of clause (e) of sub-section (2) of section 66 shall receive such allowances as may be prescribed by the State Government.</p>	
68	<p>Disqualification</p> <p>(1) No person shall be a Member of the State Advisory Board, who—</p> <p>(a) is, or at any time has been, adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or</p> <p>(b) is of unsound mind and stands so declared by a competent court, or</p> <p>(c) is, or has been, convicted of an offence which, in the opinion of the State Government, involves moral turpitude, or</p> <p>(d) is, or at any time has been, convicted of an offence under this Act, or</p> <p>(e) has so abused in the opinion of the State Government his position as a Member as to render his continuance in the State Advisory Board detrimental to the interests of the general public.</p> <p>(2) No order of removal shall be made by the State Government under this section unless the Member concerned has been given a reasonable opportunity of showing cause against the same.</p> <p>(3) Notwithstanding anything contained in sub-section (1) or sub-section (5) of section 67, a Member who has been removed under this section shall not be eligible for renomination as a Member.</p>	Social Welfare Department
69	<p>Vacation of seats</p> <p>If a Member of the State Advisory Board becomes subject to any of the disqualifications specified in section 68 his seat shall become vacant.</p>	Social Welfare Department
70	<p>Meetings of State Advisory Board on disability</p> <p>The State Advisory Board shall meet at least once in every six months and shall observe such rules or procedure in regard to the transaction of business at its meetings as may be prescribed by the State Government.</p>	Social Welfare Department

Section	Provision	Implementing Department/ body
71	<p>Functions of State Advisory Board on disability</p> <p>(1) Subject to the provisions of this Act, the State Advisory Board shall be the State-level consultative and advisory body on disability matters, and shall facilitate the continuous evolution of a comprehensive policy for the empowerment of persons with disabilities and the full enjoyment of rights.</p> <p>(2) In particular and without prejudice to the generality of the foregoing provisions, the State Advisory Board on disability shall perform the following functions, namely:—</p> <p>(a) advise the State Government on policies, programmes, legislation and projects with respect to disability;</p> <p>(b) develop a State policy to address issues concerning persons with disabilities;</p> <p>(c) review and coordinate the activities of all Departments of the State Government and other Governmental and non-Governmental Organisations in the State which are dealing with matters relating to persons with disabilities;</p> <p>(d) take up the cause of persons with disabilities with the concerned authorities and the international organisations with a view to provide for schemes and projects for the persons with disabilities in the State plans;</p> <p>(e) recommend steps to ensure accessibility, reasonable accommodation, nondiscrimination for persons with disabilities, services and the built environment and their participation in social life on an equal basis with others;</p> <p>(f) monitor and evaluate the impact of laws, policies and programmes designed to achieve full participation of persons with disabilities; and</p> <p>(g) such other functions as may be assigned from time to time by the State Government.</p>	Social Welfare Department
72	<p>District-level Committee on disability</p> <p>The State Government shall constitute District-level Committee on disability to perform such functions as may be prescribed by it.</p>	Social Welfare Department
73	<p>Vacancies not to invalidate proceedings</p> <p>No act or proceeding of the Central Advisory Board on disability, a State Advisory Board on disability, or a District-level Committee on disability shall be called in question on the ground merely of the existence of any vacancy in or any defect in the constitution of such Board or Committee, as the case may be.</p>	
74	<p>Appointment of Chief Commissioner and Commissioners</p> <p>(1) The Central Government may, by notification, appoint a Chief Commissioner for Persons with Disabilities (hereinafter referred to as the "Chief Commissioner") for the purposes of this Act.</p> <p>(2) The Central Government may, by notification appoint two Commissioners to assist the Chief Commissioner, of which one Commissioner shall be a persons with disability.</p> <p>(3) A person shall not be qualified for appointment as the Chief Commissioner or Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation.</p> <p>(4) The salary and allowances payable to and other terms and conditions of service (including pension, gratuity and other retirement benefits) of the Chief Commissioner and Commissioners shall be such as may be prescribed by the Central Government.</p>	Central Government

Section	Provision	Implementing Department/ body
	<p>(5) The Central Government shall determine the nature and categories of officers and other employees required to assist the Chief Commissioner in the discharge of his functions and provide the Chief Commissioner with such officers and other employees as it thinks fit.</p> <p>(6) The officers and employees provided to the Chief Commissioner shall discharge their functions under the general superintendence and control of the Chief Commissioner.</p> <p>(7) The salaries and allowances and other conditions of service of officers and employees shall be such as may be prescribed by the Central Government.</p> <p>(8) The Chief Commissioner shall be assisted by an advisory committee comprising of not more than eleven members drawn from the experts from different disabilities in such manner as may be prescribed by the Central Government.</p>	
75	<p>Functions of Chief Commissioner</p> <p>(1) The Chief Commissioner shall—</p> <p>(a) identify, suo motu or otherwise, the provisions of any law or policy, programme and procedures, which are inconsistent with this Act and recommend necessary corrective steps;</p> <p>(b) inquire, suo motu or otherwise, deprivation of rights of persons with disabilities and safeguards available to them in respect of matters for which the Central Government is the appropriate Government and take up the matter with appropriate authorities for corrective action;</p> <p>(c) review the safeguards provided by or under this Act or any other law for the time being in force for the protection of rights of persons with disabilities and recommend measures for their effective implementation;</p> <p>(d) review the factors that inhibit the enjoyment of rights of persons with disabilities and recommend appropriate remedial measures;</p> <p>(e) study treaties and other international instruments on the rights of persons with disabilities and make recommendations for their effective implementation;</p> <p>(f) undertake and promote research in the field of the rights of persons with disabilities;</p> <p>(g) promote awareness of the rights of persons with disabilities and the safeguards available for their protection;</p> <p>(h) monitor implementation of the provisions of this Act and schemes, programmes meant for persons with disabilities;</p> <p>(i) monitor utilisation of funds disbursed by the Central Government for the benefit of persons with disabilities; and</p> <p>(j) perform such other functions as the Central Government may assign.</p> <p>(2) The Chief Commissioner shall consult the Commissioners on any matter while discharging its functions under this Act.</p>	Central Government
76	<p>Action of appropriate authorities on recommendation of Chief Commissioner</p> <p>Whenever the Chief Commissioner makes a recommendation to an authority in pursuance of clause (b) of section 75, that authority shall take necessary action on it, and inform the Chief Commissioner of the action taken within three months from the date of receipt of the recommendation:</p> <p>Provided that where an authority does not accept a recommendation, it shall convey reasons for non-acceptance to the Chief Commissioner within a period of three months, and shall also inform the aggrieved person.</p>	Central Government

Section	Provision	Implementing Department/ body
77	<p>Powers of Chief Commissioner</p> <p>(1) The Chief Commissioner shall, for the purpose of discharging his functions under this Act, have the same powers of a civil court as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:—</p> <ul style="list-style-type: none"> (a) summoning and enforcing the attendance of witnesses; (b) requiring the discovery and production of any documents; (c) requisitioning any public record or copy thereof from any court or office; (d) receiving evidence on affidavits; and (e) issuing commissions for the examination of witnesses or documents. <p>(2) Every proceeding before the Chief Commissioner shall be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and the Chief Commissioner shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.</p>	Central Government
78	<p>Annual and special reports by Chief Commissioner</p> <p>(1) The Chief Commissioner shall submit an annual report to the Central Government and may at any time submit special reports on any matter, which, in his opinion, is of such urgency or importance that it shall not be deferred till submission of the annual report.</p> <p>(2) The Central Government shall cause the annual and the special reports of the Chief Commissioner to be laid before each House of Parliament, along with a memorandum of action taken or proposed to be taken on his recommendations and the reasons for nonacceptance of the recommendations, if any.</p> <p>(3) The annual and special reports shall be prepared in such form, manner and contain such details as may be prescribed by the Central Government.</p>	Central Government
79	<p>Appointment of State Commissioner in States</p> <p>(1) The State Government may, by notification, appoint a State Commissioner for Persons with Disabilities (hereinafter referred to as the "State Commissioner") for the purposes of this Act.</p> <p>(2) A person shall not be qualified for appointment as the State Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation.</p> <p>(3) The salary and allowances payable to and other terms and conditions of service (including pension, gratuity and other retirement benefits) of the State Commissioner shall be such as may be prescribed by the State Government.</p> <p>(4) The State Government shall determine the nature and categories of officers and other employees required to assist the State Commissioner in the discharge of his functions and provide the State Commissioner with such officers and other employees as it thinks fit.</p> <p>(5) The officers and employees provided to the State Commissioner shall discharge his functions under the general superintendence and control of the State Commissioner.</p> <p>(6) The salaries and allowances and other conditions of service of officers and employees shall be such as may be</p>	Social Welfare Department & General Administration Department

Section	Provision	Implementing Department/ body
	<p>prescribed by the State Government.</p> <p>(7) The State Commissioner shall be assisted by an advisory committee comprising of not more than five members drawn from the experts in the disability sector in such manner as may be prescribed by the State Government.</p>	
80	<p>Functions of State Commissioner</p> <p>The State Commissioner shall:</p> <ul style="list-style-type: none"> (a) identify, suo motu or otherwise, provision of any law or policy, programme and procedures, which are in consistent with this Act, and recommend necessary corrective steps; (b) inquire, suo motu or otherwise deprivation of rights of persons with disabilities and safeguards available to them in respect of matters for which the State Government is the appropriate Government and take up the matter with appropriate authorities for corrective action; (c) review the safeguards provided by or under this Act or any other law for the time being in force for the protection of rights of persons with disabilities and recommend measures for their effective implementation; (d) review the factors that inhibit the enjoyment of rights of persons with disabilities and recommend appropriate remedial measures; (e) undertake and promote research in the field of the rights of persons with disabilities; (f) promote awareness of the rights of persons with disabilities and the safeguards available for their protection; (g) monitor implementation of the provisions of this Act and schemes, programmes meant for persons with disabilities; (h) monitor utilisation of funds disbursed by the State Government for the benefits of persons with disabilities; and (i) perform such other functions as the State Government may assign. 	Office of the State Commissioner for PWDs
81	<p>Action by appropriate authorities on recommendation of State Commissioner</p> <p>Whenever the State Commissioner makes a recommendation to an authority in pursuance of clause (b) of section 80, that authority shall take necessary action on it, and inform the State Commissioner of the action taken within three months from the date of receipt of the recommendation:</p> <p>Provided that where an authority does not accept a recommendation, it shall convey reasons for non-acceptance to the State Commissioner for Persons with Disabilities within the period of three months, and shall also inform the aggrieved person.</p>	-----
82	<p>Powers of State Commissioner</p> <p>(1) The State Commissioner shall, for the purpose of discharging their functions under this Act, have the same powers of a civil court as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:—</p> <ul style="list-style-type: none"> (a) summoning and enforcing the attendance of witnesses; (b) requiring the discovery and production of any documents; (c) requisitioning any public record or copy thereof from any court or office; 	Office of the State Commissioner for PWDs

Section	Provision	Implementing Department/ body
	<p>(d) receiving evidence on affidavits; and</p> <p>(e) issuing commissions for the examination of witnesses or documents.</p> <p>(2) Every proceeding before the State Commissioner shall be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and the State Commissioners shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.</p>	
83	<p>Annual and special reports by State Commissioner</p> <p>(1) The State Commissioner shall submit an annual report to the State Government and may at any time submit special reports on any matter, which, in its opinion, is of such urgency or importance that it shall not be deferred till submission of the annual report.</p> <p>(2) The State Government shall cause the annual and the special reports of the State Commissioner for persons with disabilities to be laid before each House of State Legislature where it consists of two Houses or where such Legislature consist of one House, before that House along with a memorandum of action taken or proposed to be taken on the recommendation of the State Commissioner and the reasons for non-acceptance the recommendations, if any.</p> <p>(3) The annual and special reports shall be prepared in such form, manner and contain such details as may be prescribed by the State Government.</p>	Office of the State Commissioner for PWDs
84	<p>Special Court</p> <p>For the purpose of providing speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification, specify for each district, a Court of Session to be a Special Court to try the offences under this Act.</p>	Law Department
85	<p>Special Public Prosecutor</p> <p>(1) For every Special Court, the State Government may, by notification, specify a Public Prosecutor or appoint an advocate, who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.</p> <p>(2) The Special Public Prosecutor appointed under sub-section (1) shall be entitled to receive such fees or remuneration as may be prescribed by the State Government.</p>	Law Department
86	<p>National Fund for persons with disabilities</p> <p>(1) There shall be constituted a Fund to be called the National Fund for persons with disabilities and there shall be credited thereto—</p> <p>(a) all sums available under the Fund for people with disabilities, constituted vide notification No. S.O. 573 (E), dated the 11th August, 1983 and the Trust Fund for Empowerment of Persons with Disabilities, constituted vide notification No. 30-03/ 2004- DDII, dated the 21st November, 2006, under the Charitable Endowment Act, 1890.</p> <p>(b) all sums payable by banks, corporations, financial institutions in pursuance of judgment dated the 16th April, 2004 of the Hon'ble Supreme Court in Civil Appeal Nos. 4655 and 5218 of 2000;</p> <p>(c) all sums received by way of grant, gifts, donations, benefactions, bequests or transfers;</p>	Central Government

Section	Provision	Implementing Department/ body
	<p>(d) all sums received from the Central Government including grants-in-aid; (e) all sums from such other sources as may be decided by the Central Government.</p> <p>(2) The Fund for persons with disabilities shall be utilised and managed in such manner as may be prescribed.</p>	
87	<p>Accounts and audit</p> <p>(1) The Central Government shall maintain proper accounts and other relevant records and prepare an annual statement of accounts of the Fund including the income and expenditure accounts in such form as may be prescribed in consultation with the Comptroller and Auditor-General of India.</p> <p>(2) The accounts of the Fund shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred by him in connection with such audit shall be payable from the Fund to the Comptroller and Auditor-General of India.</p> <p>(3) The Comptroller and Auditor-General of India and any other person appointed by him in connection with the audit of the accounts of the Fund shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India generally has in connection with the audit of the Government accounts, and in particular, shall have the right to demand production of books of account, connected vouchers and other documents and papers and to inspect any of the offices of the Fund.</p> <p>(4) The accounts of the Fund as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be laid before each House of Parliament by the Central Government.</p>	Central Government
88	<p>State Fund for persons with disabilities</p> <p>(1) There shall be constituted a Fund to be called the State Fund for persons with disabilities by a State Government in such manner as may be prescribed by the State Government.</p> <p>(2) The State Fund for persons with disabilities shall be utilised and managed in such manner as may be prescribed by the State Government.</p> <p>(3) Every State Government shall maintain proper accounts and other relevant records of the State Fund for persons with disabilities including the income and expenditure accounts in such form as may be prescribed by the State Government in consultation with the Comptroller and Auditor-General of India.</p> <p>(4) The accounts of the State Fund for persons with disabilities shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred by him in connection with such audit shall be payable from the State Fund to the Comptroller and Auditor-General of India.</p> <p>(5) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the State Fund for persons with disabilities shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India generally has in connection with the audit of the Government accounts, and in particular, shall have right to demand production of books of accounts, connected vouchers and other documents and papers and to inspect any of the offices of the State Fund.</p>	Social Welfare Department

Section	Provision	Implementing Department/ body
	<p>(6) The accounts of the State Fund for persons with disabilities as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be laid before each House of the State Legislature where it consists of two Houses or where such Legislature consists of one House before that House.</p>	
89	<p>Punishment for contravention of provisions of Act or rules or regulations made thereunder Any person who contravenes any of the provisions of this Act, or of any rule made thereunder shall for first contravention be punishable with fine which may extend to ten thousand rupees and for any subsequent contravention with fine which shall not be less than fifty thousand rupees but which may extend to five lakh rupees.</p>	Penal Provision
90	<p>Offences by companies (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly. Explanation.—For the purposes of this section,— (a) “company” means any body corporate and includes a firm or other association of individuals; and (b) “director”, in relation to a firm, means a partner in the firm.</p>	Penal Provision
91	<p>Punishment for fraudulently availing any benefit meant for persons with benchmark disabilities Whoever, fraudulently avails or attempts to avail any benefit meant for persons with benchmark disabilities, shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to one lakh rupees or with both.</p>	Penal Provision
92	<p>Punishment for offences of atrocities Whoever,— (a) intentionally insults or intimidates with intent to humiliate a person with disability in any place within public view; (b) assaults or uses force to any person with disability with intent to dishonor him or outrage the modesty of a woman with disability; (c) having the actual charge or control over a person with disability voluntarily or knowingly denies food or fluids to him or her;</p>	Penal Provision

Section	Provision	Implementing Department/ body
	<p>(d) being in a position to dominate the will of a child or woman with disability and uses that position to exploit her sexually;</p> <p>(e) voluntarily injures, damages or interferes with the use of any limb or sense or any supporting device of a person with disability;</p> <p>(f) performs, conducts or directs any medical procedure to be performed on a woman with disability which leads to or is likely to lead to termination of pregnancy without her express consent except in cases where medical procedure for termination of pregnancy is done in severe cases of disability and with the opinion of a registered medical practitioner and also with the consent of the guardian of the woman with disability, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.</p>	
93	<p>Punishment for failure to furnish information</p> <p>Whoever, fails to produce any book, account or other documents or to furnish any statement, information or particulars which, under this Act or any order, or direction made or given thereunder, is duty bound to produce or furnish or to answer any question put in pursuance of the provisions of this Act or of any order, or direction made or given thereunder, shall be punishable with fine which may extend to twenty-five thousand rupees in respect of each offence, and in case of continued failure or refusal, with further fine which may extend to one thousand rupees for each day, of continued failure or refusal after the date of original order imposing punishment of fine.</p>	Penal Provision
94	<p>Previous sanction of appropriate Government</p> <p>No Court shall take cognizance of an offence alleged to have been committed by an employee of the appropriate Government under this Chapter, except with the previous sanction of the appropriate Government or a complaint is filed by an officer authorised by it in this behalf.</p>	Instructive Provision
95	<p>Alternative punishments</p> <p>Where an act or omission constitutes an offence punishable under this Act and also under any other Central or State Act, then, notwithstanding anything contained in any other law for the time being in force, the offender found guilty of such offence shall be liable to punishment only under such Act as provides for punishment which is greater in degree.</p>	Instructive Provision
96	<p>Application of other laws not barred</p> <p>The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.</p>	-----
97	<p>Protection of action taken in good faith</p> <p>No suit, prosecution or other legal proceeding shall lie against the appropriate Government or any officer of the appropriate Government or any officer or employee of the Chief Commissioner or the State Commissioner for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.</p>	-----
98	<p>Power to remove difficulties</p> <p>(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing the difficulty.</p>	Central Government

Section	Provision	Implementing Department/ body
	<p>Provided that no order shall be made under this section after the expiry of the period of two years from the date of commencement of this Act.</p> <p>(2) Every order made under this section shall be laid as soon as may be, after it is made, before each House of Parliament.</p>	
99	<p>Power to amend Schedule</p> <p>(1) On the recommendations made by the appropriate Government or otherwise, if the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification, amend the Schedule and any such notification being issued, the Schedule shall be deemed to have been amended accordingly.</p> <p>(2) Every such notification shall, as soon as possible after it is issued, shall be laid before each House of Parliament.</p>	Central Government
100	<p>Power of Central Government to make rules</p> <p>(1) The Central Government may, subject to the condition of previous publication, by notification, make rules for carrying out the provisions of this Act.</p> <p>(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—</p> <p>(a) the manner of constituting the Committee for Research on Disability under sub-section (2) of section 6;</p> <p>(b) the manner of notifying the equal opportunity policy under sub-section (1) of section 21;</p> <p>(c) the form and manner of maintaining records by every establishment under sub-section (1) of section 22;</p> <p>(d) the manner of maintenance of register of complaints by grievance redressal officer under sub-section (3) of section 23;</p> <p>(e) the manner of furnishing information and return by establishment to the Special Employment Exchange under section 36;</p> <p>(f) the composition of the Assessment Board under sub-section (2) and manner of assessment to be made by the Assessment Board under sub-section (3) of section 38;</p> <p>(g) rules for person with disabilities laying down the standards of accessibility under section 40;</p> <p>(h) the manner of application for issuance of certificate of disability under sub-section (1) and form of certificate of disability under sub-section (2) of section 58;</p> <p>(i) the allowances to be paid to nominated Members of the Central Advisory Board under sub-section (6) of section 61;</p> <p>(j) the rules of procedure for transaction of business in the meetings of the Central Advisory Board under section 64;</p> <p>(k) the salaries and allowances and other conditions of services of Chief Commissioner and Commissioners under sub-section (4) of section 74;</p> <p>(l) the salaries and allowances and conditions of services of officers and staff of the Chief Commissioner under sub-section (7) of section 74;</p> <p>(m) the composition and manner of appointment of experts in the advisory committee under sub-section (8) of section 74;</p>	Central Government

Section	Provision	Implementing Department/ body
	<p>(n) the form, manner and content of annual report to be prepared and submitted by the Chief Commissioner under sub-section (3) of section 78;</p> <p>(o) the procedure, manner of utilisation and management of the Fund under sub-section (2) of section 86; and</p> <p>(p) the form for preparation of accounts of Fund under sub-section (1) of section 87.</p> <p>(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.</p>	
<p>101</p>	<p>Power of State Government to make rules</p> <p>(1) The State Government may, subject to the condition of previous publication, by notification, make rules for carrying out the provisions of this Act, not later than six months from the date of commencement of this Act.</p> <p>(2) In particular, and without prejudice to the generality of foregoing powers, such rules may provide for all or any of the following matters, namely:—</p> <p>(a) the manner of constituting the Committee for Research on Disability under sub-section (2) of section 5;</p> <p>(b) the manner of providing support of a limited guardian under sub-section (1) of section 14;</p> <p>(c) the form and manner of making an application for certificate of registration under sub-section (1) of section 51;</p> <p>(d) the facilities to be provided and standards to be met by institutions for grant of certificate of registration under sub-section (3) of section 51;</p> <p>(e) the validity of certificate of registration, the form of, and conditions attached to, certificate of registration under sub-section (4) of section 51;</p> <p>(f) the period of disposal of application for certificate of registration under sub-section (7) of section 51;</p> <p>(g) the period within which an appeal to be made under sub-section (1) of section 53;</p> <p>(h) the time and manner of appealing against the order of certifying authority under sub-section (1) and manner of disposal of such appeal under sub-section (2) of section 59;</p> <p>(i) the allowances to be paid to nominated Members of the State Advisory Board under sub-section (6) of section 67;</p> <p>(j) the rules of procedure for transaction of business in the meetings of the State Advisory Board under section 70;</p> <p>(k) the composition and functions of District Level Committee under section 72;</p> <p>(l) salaries, allowances and other conditions of services of the State Commissioner under sub-section (3) of section 79;</p> <p>(m) the salaries, allowances and conditions of services of officers and staff of the State Commissioner under sub-section (3) of section 79;</p> <p>(n) the composition and manner of appointment of experts in the advisory committee under sub-section (7) of section 79;</p>	<p>Social Welfare Department</p>

Section	Provision	Implementing Department/ body
	<p>(o) the form, manner and content of annual and special reports to be prepared and submitted by the State Commissioner under sub-section (3) of section 83;</p> <p>(p) the fee or remuneration to be paid to the Special Public Prosecutor under sub-section (2) of section 85;</p> <p>(q) the manner of constitution of State Fund for persons with disabilities under sub-section (1), and the manner of utilisation and management of State Fund under sub-section (2) of section 88;</p> <p>(r) the form for preparation of accounts of the State Fund for persons with disabilities under sub-section (3) of section 88.</p> <p>(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such State Legislature consists of one House, before that House.</p>	
102	<p>Repeal and savings</p> <p>(1) The Persons with Disabilities (Equal Opportunity Protection of Rights and Full Participation) Act, 1995 is hereby repealed.</p> <p>(2) Notwithstanding the repeal of the said Act, anything done or any action taken under the said Act, shall be deemed to have been done or taken under the corresponding provisions of this Act.</p>	Informative Provision



बिहार सरकार

समाज कल्याण विभाग, बिहार सरकार