

**Research Study on the progress on implementation of  
The Rights of Persons with  
Disabilities (RPWD) Act, 2016**

**In**

**Assam, Bihar, Jharkhand, Madhya Pradesh, Meghalaya,  
Rajasthan, Uttar Pradesh and West Bengal**

**During  
October- December 2023**

**Conducted By**

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**for**



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## **Jan Vikas Samiti (JVS)**

JVS is a community development organization based in Varanasi (UP), India, working for poor and marginalized sections of society since more than 26 years. Its mission is to assist persons with disabilities by building and strengthening community-based rehabilitation program. It is designed to improve the quality of life for “children and youngsters with disabilities” and their families by meeting their basic needs and promoting inclusion and integration. JVS had been serving over 6,000 children and youngsters with disabilities via its collaborative programme partner organisations in 14 states of the North and North-East India.

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has been conducted during October to  
December 2023 by  
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*Rahul Mehta*

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## Abbreviations

CSR	Corporate Social Responsibility
CSO	Civil Society Organizations
CWID	Children with Intellectual disability
CWMD	Children with Multiple disability
CWSN	Children with Special Needs
DDMA	District Disaster Management Authority
DPO	Disabled People's Organization
ID	Intellectual Disability
HBS	Home Based Support
ILO	International Labour Organisation
JVS	Jan Vikas Samiti
LF	Liliane Foundation
MP	Madhya Pradesh
NHFDC	National PwDs Finance and Development Corporation
NRLM	National Rural Livelihood Mission
OPD	Organisations of persons with disabilities
PGSS	Purvanchal Gramin Seva Samiti
PWD	Persons with disability
PWID	Persons with intellectual disability
RMKM	Rajasthan Mahila Kalyan Mandal
RPWD Act	The Rights of Persons with Disabilities Act, 2016
SAP	Specially Abled Persons
SDG	Sustainable Development Goal
SC/ST	Schedule Caste/ Scheduled Tribes
SP	Service Providers
LF	Liliane Foundation
TLM	Teaching and Learning Material
UNCRPD	United Nation Convention on the Rights of Persons with Disability
UP	Uttar Pradesh
WB	West Bengal

# Research Study on the progress of implementation of The Rights of Persons with Disabilities (RPWD) Act, 2016

## 1. Introduction

### 1.1 Background of the Study

India signed and subsequently ratified the UN Convention on Rights of People with Disabilities (UNCRPD) in 2007. The UNCRPD proclaims that disability results from the interaction of impairments with social attitudes which leads to barriers in full and active participation of PWDs in society on an equal basis. The convention also mandates the signatories to change their national laws in compliance of the principles of the UNCRPD. In this regard, the Indian Government passed The Rights of Persons with Disabilities Act (RPWD Act, 2016) in 2016 and RPWD Rules 2017.

The RPWD Act, 2016 reflects a paradigm shift in viewing disability from the perspective of charity to a human rights perspective. The main objective of the 2016 Act is to enable empowerment of persons with disabilities (PwD) through respect for inherent dignity and individual autonomy of PwDs. It emphasizes non-discrimination, full and effective participation and inclusion in society, respect for difference and acceptance of disabilities as part of human diversity, equality of opportunity, accessibility, equality between men and women, respect for the evolving capacities of children with disabilities, and respect for the right of children with disabilities to preserve their identities. Despite various provisions under the Act for the protection and empowerment of persons with disabilities, persons with disabilities are still facing various forms of discrimination and do not enjoy rights like others. This Act is supposed to be a game-changer; however, even after 7 years since its enactment, it largely remains on paper with its implementation varying across states.

### 1.2 Research Objectives

The main purpose of this research study is to review the progress of implementation of Rights of Persons with Disabilities (RPWD) Act, 2016 and find out the key issues in its implementation at selected 8 states.

However, specific objectives of the studies were as follows: -

1. To study the status of implementation with respect to following specific sections of the of RPWD Act, 2016 and research questions-
  - a. Section 6 “Protection from cruelty and inhuman treatment”-
    - Did the governments constituted a Committee for Research on Disability 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 organization as defined under clause (z) of section 2.
  - b. Section 8 “Protection and safety”-

- Is the District Disaster Management Authority constituted under section 25 of the Disaster Management Act, 2005 (53 of 2005) maintaining records 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.
- c. Section 16, 17 and 18 “Duty of educational institutions, Specific measures to promote and facilitate inclusive education and Adult Education”,
- Section 16 (viii) Provide transportation facilities to the children with disabilities and also the attendant of the children with disabilities having high support needs.
  - Section 17(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;
  - Section 17 (h) to provide scholarships in appropriate cases to students with benchmark disability.
- d. Section 19. Vocational training and self-employment.
- Has the appropriate Government formulated 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.
    - loans at concessional rates including that of microcredit.
- e. Section 24 “Social Security”
- Is there any Special schemes and programs to support women with disability for livelihood and for upbringing of their children.
  - Is there any provision for Unemployment allowances to persons with disabilities registered with Special Employment Exchange for more than two years.
  - Is there any provision for Care-giver allowances to persons with disabilities with high support needs.
- f. Section 29 “Culture and recreation”
- What is the progress towards the provision “Disability history museums to be develop or established”.
2. To provide recommendations that will serve as input for JVS and its Donor organization for developing strategies for compliance of sections of RPwD Act 2016 and policy advocacy.

### 1.3 Location of the Study:

Jan Vikas Samiti have been implementing a project for Inclusive Development of children & Youngsters with Disabilities” in 14 states of India. The project focuses on Health, Education, Livelihood and Social Inclusion of the children & Youngsters with Disabilities. The Study was conducted in eight states where JVS has been implementing the Rehabilitation programmes. Though one of the major sources of data were partner of JVS,

160 Persons with disabilities and 40 service providers were also contacted for the specific data across the selected states. Disabled Cricket Control Board of India supported in collecting information from Gorakhpur district. The specific locations were as follows:

- i. Assam : Mrinaljyoti
- ii. Bihar : Fakirana Sisters Society, Bettiah
- iii. Jharkhand : Koderma Franciscan Clarist Society, Koderma
- iv. Madhya Pradesh : Samaritan Society, Satna
- v. Meghalaya : Bethany Society, Shilong
- vi. Rajasthan : Rajasthan Mahila Kalyan Mandal
- vii. Uttar Pradesh : Purvanchal Gramin Seva Samiti (PGSS), Gorakhpur
- viii. West Bengal : Palli Unnayan Samiti, Kolkata

#### 1.4 Methodology:

It was mixed type of study. The integration of quantitative and qualitative data in the form of a mixed methods study were applied.

##### Data Collection:

The tools like structured questionnaire, focus group discussion, Review & analysis of literature, were be used for data collection. The secondary data were collected through reports, studied and records. Information from the local partners were also collected.

The major process was as follows: -

- |                      |    |  |
|----------------------|----|--|
| Desk Study           | :- | Basic available information was gathered from the local partners of the JVS. It included available related to education and employment status of PwID and PwMD.  |
| Review of Literature | :- | Available Government Data, Literature and secondary data were reviewed for the purpose of the study.   |
| Field visits         | :- | <ul style="list-style-type: none"> <li>• Two teams were formed for the Data Collection. Team, one visited the partners while the other team collected data from State Headquarter.</li> <li>• During the field visit Semi structured Interview, FGD, Informant interview and Meetings were conducted with the selected purposive sample.</li> <li>• PwID-PwMD and their accompanying family members of were treated as a unit for information collection.</li> </ul> |
| Analysis & Report    | :- | Following the visits, the data/information was analysed. Inferences were drawn and a draft report was prepared.  |
| Report               | :- | Draft Report was prepared and shared with JVS. Their feedback was incorporated in the final report.  |

## 1.5 Sample

The sample were primarily purposive and selected from the projects supported by JVS. The planned sample size was 184 across all states including 160 PwID-PwMD and 24 service providers. The family of PwID-PwMD and their parents/siblings were considered as a unit and responses were accordingly collected. The details of the sample of the study are as follows:

Table-1: Details of the Sample

#	States	PwID/ PwMD	NGO Member	Dist. Disability Dept.	JVS Partner	Total
1	Assam	20	1	1	1	23
2	Bihar	20	1	1	1	23
3	Jharkhand	20	1	1	1	23
4	Madhya Pradesh	20	1	1	1	23
5	Meghalaya	20	1	1	1	23
6	Rajasthan	20	1	1	1	23
7	Uttar Pradesh	20	1	1	1	23
8	West Bengal	20	1	1	1	23
	<b>Total</b>	<b>160</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>184</b>

Table-2: Gender and Disability wise brief of sample

#	States	Male	Female	PwID	PwMD
1	Assam	16	7	14	6
2	Bihar	16	7	12	8
3	Jharkhand	14	9	9	11
4	Madhya Pradesh	12	11	8	12
5	Meghalaya	15	8	14	6
6	Rajasthan	15	8	13	7
7	Uttar Pradesh	16	7	15	5
8	West Bengal	12	11	16	4
	Total	116	68	101	59
	Percentage	65.91	38.64	57.39	33.52

Table 2 reflects that 65.91% respondents were male while 38.64% were female. Out of total sample 57.39% were persons with Intellectual disabilities while 33.52% were person with Multiple Disabilities.

The graph below represents the number of different categories of selected sample.

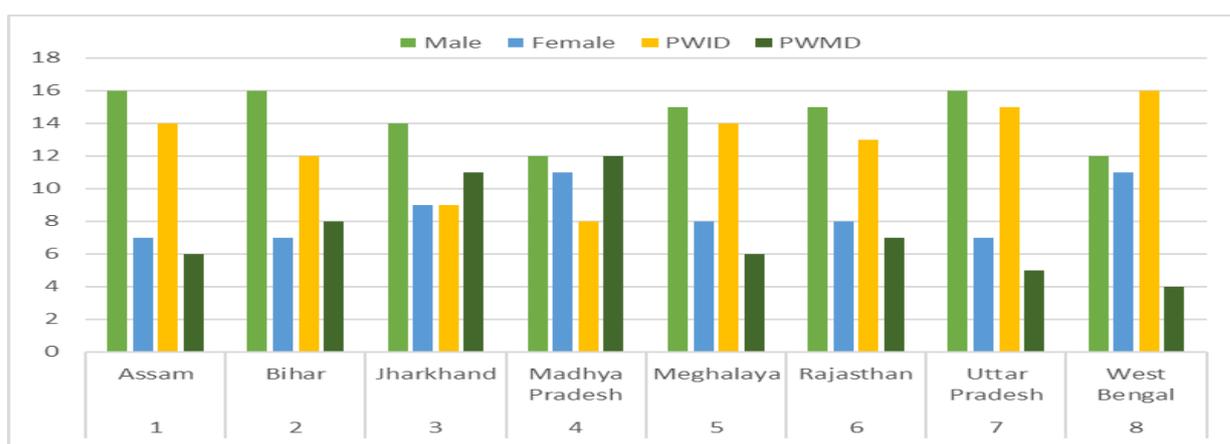


Table-3: Details of accompanying family members of PwID-PwMD

#	States	Male	Female	Parents	Siblings
1	Assam	18	2	18	2
2	Bihar	13	7	16	4
3	Jharkhand	18	2	14	6
4	Madhya Pradesh	14	6	16	4
5	Meghalaya	12	8	15	5
6	Rajasthan	15	5	19	1
7	Uttar Pradesh	14	6	15	5
8	West Bengal	15	5	16	4
	<b>Total</b>	<b>119</b>	<b>41</b>	<b>129</b>	<b>31</b>
	<b>Percentage</b>	<b>67.61</b>	<b>23.30</b>	<b>73.30</b>	<b>17.61</b>

Considering the limitations of the PwID and PwMD the accompanying family members were also treated as a part of sample. 119 (67.61%) accompanying members were male while 41 (23.30%) were female. Out of these 73.30% were parents and 17.61% were siblings.

### 1.6 Research tools:

Following tools were used for collection of information-

- Semi structured Interview with direct beneficiaries and key informants;
- Face to face small group discussion with the NGO member and Collaborative Programme Partners of JVS.;
- Face-to-Face Discussion with representative of District Disability Department.

### 1.7 Delimitation of the Study

For the study purposive sample was used. The data has been collected from 8 pockets across 08 selected states. The samples were collected from projects supported by JVS.

The sample size is small with only 160 Persons with intellectual and multiple disabilities and 24 service providers.

The study attempts to collect the perceptions of the respondents. They may or may not be aware of the fact. To mitigate this attempt were made to collect the data from State Government.

As the Persons with Intellectual and multiple disabilities were not so vocal therefore the family was considered as a unit and responses of family member were documented.

## Chapter -2

### Provision for Protection, Nondiscrimination and Equal Oppourtunities

Specific Provision the sections of “The Rights of Persons with disabilities Act”, 2016 under review are as follows:

#### 2.1 Protection from cruelty and inhuman treatment

**Section 6.** (1) The appropriate Government shall take measures to protect persons with disabilities from being subjected to torture, cruel, inhuman or degrading treatment.

(2) No person with disability shall be a subject of any research without, —

- (i) his or her free and informed consent obtained through accessible modes, means and formats of communication; and
- (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.

#### 2.2 Protection and safety

**Section 8.** (1) The persons with disabilities shall have equal protection and safety in situations of risk, armed conflict, humanitarian emergencies and natural disasters.

(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.

(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.

(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.

#### 2.3 Education

**Section 16.** 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—

- (i) admit them without discrimination and provide education and opportunities for sports and recreation activities equally with others;
- (ii) make building, campus and various facilities accessible;
- (iii) provide reasonable accommodation according to the individual’s requirements;

- (iv) provide necessary support individualised or otherwise in environments that, maximise academic and social development consistent with the goal of full inclusion;
- (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;
- (vi) detect specific learning disabilities in children at the earliest and take suitable pedagogical and other measures to overcome them;
- (vii) monitor participation, progress in terms of attainment levels and completion of education in respect of every student with disability;
- (viii) provide transportation facilities to the children with disabilities and also the attendant of the children with disabilities having high support needs.

**Section 17.** The appropriate Government and the local authorities shall take the following measures for the purpose of section 16, namely: —

- (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:

Provided that the first survey shall be conducted within a period of two years from the date of commencement of this Act;

- (b) to establish adequate number of teacher training institutions;
- (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;
- (d) to train professionals and staff to support inclusive education at all levels of school education;
- (e) to establish adequate number of resource centres to support educational institutions at all levels of school education;
- (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 fulfil the daily communication needs of persons with speech, communication or language disabilities and enables them to participate and contribute to their community and society;
- (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;
- (h) to provide scholarships in appropriate cases to students with benchmark disability;
- (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;
- (j) to promote research to improve learning; and
- (k) any other measures, as may be required.

**Section 18.** 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.

## **2.4 Vocational training and self-employment**

**Section 19. (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.

(2) The schemes and programmes referred to in sub-section (1) shall provide for—

- (a) inclusion of person with disability in all mainstream formal and non-formal vocational and skill training schemes and programmes;
- (b) to ensure that a person with disability has adequate support and facilities to avail specific training;
- (c) exclusive skill training programmes for persons with disabilities with active links with the market, for those with developmental, intellectual, multiple disabilities and autism;
- (d) loans at concessional rates including that of microcredit;
- (e) marketing the products made by persons with disabilities; and
- (f) maintenance of disaggregated data on the progress made in the skill training and self-employment, including persons with disabilities.

## **2.5 Social security**

**Section 24. (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.

(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.

(3) The schemes under sub-section (1) shall provide for, —

- (a) community centres with good living conditions in terms of safety, sanitation, health care and counselling;
- (b) facilities for persons including children with disabilities who have no family or have been abandoned, or are without shelter or livelihood;
- (c) support during natural or man-made disasters and in areas of conflict;

- (d) support to women with disability for livelihood and for upbringing of their children;
- (e) access to safe drinking water and appropriate and accessible sanitation facilities especially in urban slums and rural areas;
- (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;
- (g) disability pension to persons with disabilities subject to such income ceiling as may be notified;
- (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;
- (i) care-giver allowance to persons with disabilities with high support needs;
- (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;
- (k) any other matter which the appropriate Government may think fit.

## 2.6 Culture and Recreation

**Section 29.** 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 equipment 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.

## Chapter -3

### Results and Discussion

#### 3.1 Protection from cruelty and inhuman treatment:

The research question was- Did the government constituted a Committee for Research on Disability in the prescribed manner for the purpose in which not less than half of the Members shall themselves be either persons with disabilities or Members of the registered organization as defined under clause (z) of section 2?

Table-4: Constitution of the Research Committee (N=184)

#	State	Yes	No	Don't Know
1	Assam	12	5	6
2	Bihar	16	2	5
3	Jharkhand	19	1	3
4	Madhya Pradesh	14	4	5
5	Meghalaya	16	4	3
6	Rajasthan	11	4	8
7	Uttar Pradesh	15	4	4
8	West Bengal	17	3	3
	<b>Total</b>	<b>120</b>	<b>27</b>	<b>37</b>
	Percentage	65.22	14.67	20.11

65.22% (60.63% PwD representatives & 95.83 Service Providers) are aware of the formation of the Research Committee while 20.11% (22.50% PwD representatives & 4.17% Service Providers) are unaware. Most of the respondents added that though the Committee for Research on Disability has been formed but it is non-functional.

**Fact:** All states have formed The Research committee as per provision but only in Rajasthan and Madhya Pradesh, meeting of the Committee has been held.

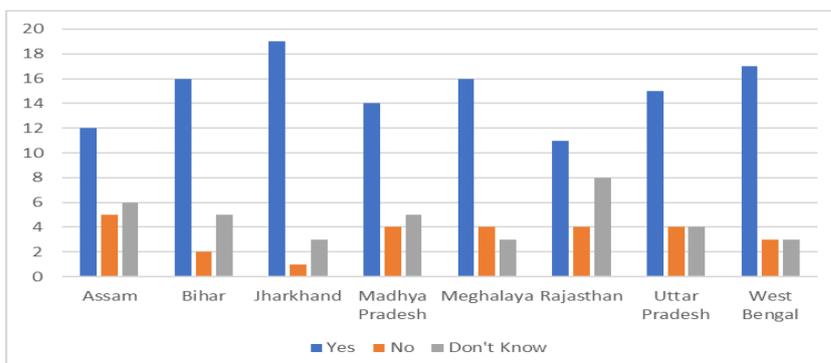


Table-5: Response of PwD and Service providers on Constitution of the Research Committee (N=184)

#	State	PwD Representatives			Service Providers		
		Yes	No	Don't Know	Yes	No	Don't Know
1	Assam	9	5	6	3	0	0
2	Bihar	13	2	5	3	0	0
3	Jharkhand	16	1	3	3	0	0
4	Madhya Pradesh	11	4	5	3	0	0
5	Meghalaya	13	4	3	3	0	0
6	Rajasthan	9	4	7	2	0	1
7	Uttar Pradesh	12	4	4	3	0	0
8	West Bengal	14	3	3	3	0	0
	<b>Total</b>	<b>97</b>	<b>27</b>	<b>36</b>	<b>23</b>	<b>0</b>	<b>1</b>
	Percentage	60.63	16.88	22.50	95.83	0.00	4.17

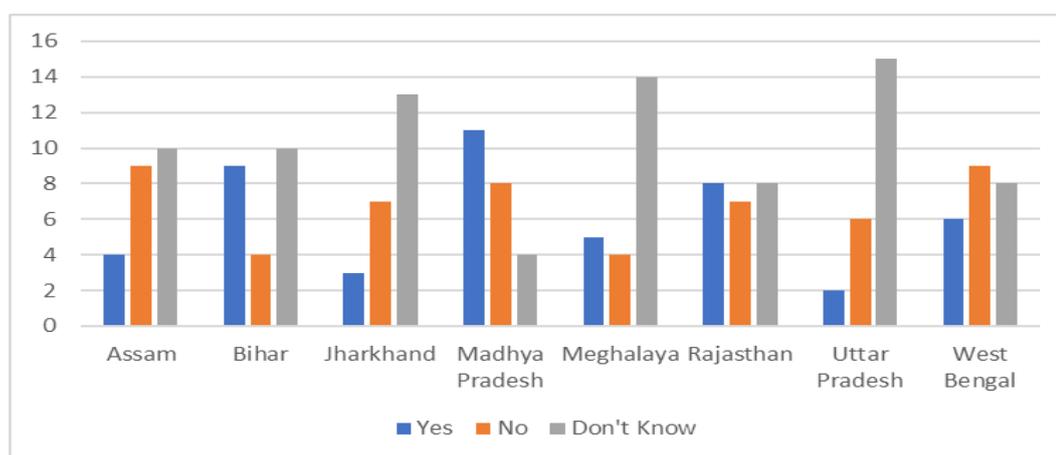
### 3.2 Protection and safety

The research question was- Is the District Disaster Management Authority constituted under section 25 of the Disaster Management Act, 2005 (53 of 2005) maintaining records 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?

Only 26.09% (15.63% PWD and 95.83% Service Providers) respondents are aware of the initiative taken for the Disaster preparedness by the district authority. 44.57% (50.63% PWD and 4.17% Service Providers) respondents unaware of any such initiative. 100% service providers said that DDMA may have collected data of PwD, but none of the Persons with disability have ever been contacted by DDMA.

Table-6: Disaster mitigation

#	State	Yes			No			Don't Know		
		PWD	SP	Total	PWD	SP	Total	PWD	SP	Total
1	Assam	1	3	4	9	0	9	10	0	10
2	Bihar	6	3	9	4	0	4	10	0	10
3	Jharkhand	0	3	3	7	0	7	13	0	13
4	Madhya Pradesh	8	3	11	8	0	8	4	0	4
5	Meghalaya	2	3	5	4	0	4	14	0	14
6	Rajasthan	5	3	8	7	0	7	8	0	8
7	Uttar Pradesh	0	2	2	6	0	6	14	1	15
8	West Bengal	3	3	6	9	0	9	8	0	8
	<b>Total</b>	<b>25</b>	<b>23</b>	<b>48</b>	<b>54</b>	<b>0</b>	<b>54</b>	<b>81</b>	<b>1</b>	<b>82</b>
	Percentage	15.63	95.83	26.09	33.75	0.00	29.35	50.63	4.17	44.57



**The fact** is that in all states specific District Disaster Management Authority have constituted under section 25 of the Disaster Management Act, 2005 (53 of 2005). But none of the selected state is maintaining adequate records 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. Efforts are being made by only SDMA Bihar to maintain record of details of persons with disabilities in the district.

The State Disaster Management Authority (SDMA) in all states has taken some measures towards Disaster Management specifically during COVID 19, which reflects that these are

functional. As per the guidelines of 20<sup>th</sup> March 2020, GoI, "Persons with disabilities should be given access to essential food, water, medicine, and, to the extent possible, such items should be delivered at their residence or place where they have been quarantined. Caregivers of persons with disabilities were allowed to reach Persons with disabilities by exempting them from restrictions during lockdown. Some of the specific measures by the State Disaster Management Authority (SDMA) are as follows: -

- a. **Assam:** Assam SDMA has brought out a publication for awareness generation among PwDs on tackling natural and other disasters. This publication is also available in Braille Script for visually impaired.
- b. **Bihar:** Standard Operating Procedure has been formulated by the government in line with the guidelines of National Disaster Management. This has special provision regarding protection and safety of PwDs in situations of risk, armed conflict, humanitarian emergencies and natural disasters. State Disaster Management Authority and District Disaster Management Authority have provisions for inclusion of safety of PwDs. Disaster Management Act, 2005 also followed by the State for safety and protection of PwD. Training programmes, and workshops are conducted and training modules, information, education and communication are provided for capacity building towards disaster risk mitigation and management. Records are being compiled of persons with disabilities in the districts with the help of voter list from Election Commission and the support of the State Disability Commission.

It is prescribed in the department SOP related to the prevention and relief of various disaster that special care is taken for the PwDs, old people, infants, pregnant woman and metal mothers during this.

- c. **Madhya Pradesh:** During Covid 19, letter number 1627, dated 19 April 2021, was issued to ensure compliance of the National Disaster Management Comprehensive Disability Inclusive Guidelines for the safety and security of persons with disabilities.
- d. **Meghalaya:** Issues related to Rights of Persons with Disabilities have been incorporated in chapter 15 of the State Disaster Management Plan 2016. State level workshop on Rights of Persons with Disabilities has been conducted for officials from related departments and Non-Government Organizations. Training by the DDMA had been conducted. Awareness and sensitization programmes were also conducted in collaboration with the DDMA in districts on regular interval so that persons with disabilities and other agencies involved are aware and sensitized on the subject matter.
- e. **Rajasthan:** According to the NFSA scheme by selecting point no. 5, 23 and 27 of the notification dated 27.09.2018 issued for the NFSA eligibility list in the state of PwDs Rs. 2.00. Wheat is being given per section per month at the rate of 5 kg per kg. Home delivery of ration material for the above beneficiaries in under process. Disaster Management, Relief and Civil Defence Department, Rajasthan implements and acts in accordance with NDMA Act, 2005 and SDRF norms issued by GOI.

In Jharkhand, Uttar Pradesh and West Bengal concerned Authorities have been informed and necessary measures are being taken. However, no detail was available.

For protection from discrimination, cruelty, inhuman treatment there is provision of Special Court in each district under section 84 of RPwD Act for speedy trial. Though no information is available on function of the Special courts, the initiatives taken towards this by State Governments are as follows: -

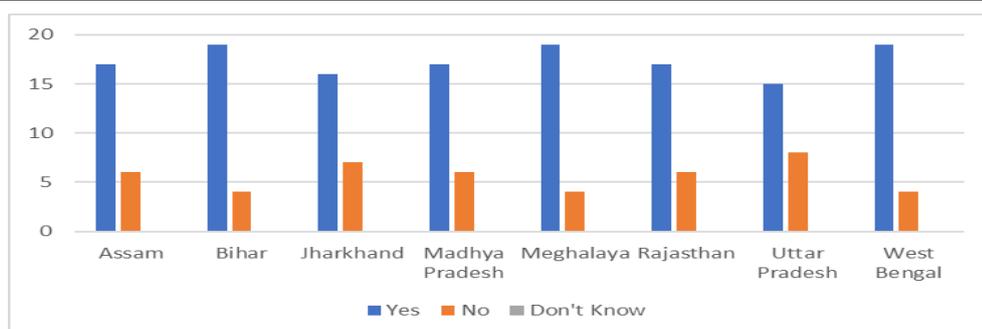
#	State	Initiatives taken
1	Assam	Government has notified, through Letter No. JDJ/77/2017-ESSTT-JUDI-Judicial/ 6-A dated 19th August 2017, for each district, the 1st Additional Sessions Judge where one or more Additional Judges are there in the district, and, where there is no Additional Sessions Judge, the Sessions Judge of the District, as Special Court to try offences under the RPwD Act 2016.
2	Bihar	In exercise of the powers conferred by section 84 of the Rights of Persons with Disabilities Act, 2016 in consultation with the Chief Justice of High Court of Prosecutor. Judicature at Patna, the State Government of Bihar has designated the Court of the Junior most Additional District and Session Judge in each Sessions Divisions of Bihar is Designated as Special Court for the purpose of trial Fall offences under the Rights of Persons with disabilities Act, 2016 as per the Law Department, Bihar Government, Notification No.-7369 Dt.-14.10.2019.
3	Jharkhand	Letter issued by Law Department letter No.1900, dated 27-09-2019.
4	Madhya Pradesh	As per the section 84 of the Act Special Courts has already notified M.P. State Law & Legislative Affairs Department has appointed by notification no. 12(E)47/2017/21-B(i) 4896/2017 dated 08/12/2017 Special Public Prosecutor , by Deputy Director General/District Prosecution Officer / Internal District Prosecution Officer in every session for the conduct of pitch cases and Law Department has issued a order dated 07.09.2018 for appointment of Special Public Prosecutor.
5	Meghalaya	Every Court of Session has been notified to be a Special Court in every district for trial of offences under Sec-84 of the Act vide No. LL(B)35/99/269 Dt 31.07.2017.
6	Rajasthan	vide notification dated 30.08.2017 one Session Court has been specified in each district to hear the cases under the Right of Persons with Disabilities Act.
7	Uttar Pradesh	Hon'ble High Court of Judicature at Allahabad has permitted to notify the court of VII Additional District Judge in each district as Special Court under section 84 of this Act. And, in districts with less number of Session Courts, the Court of junior most Additional District Judge in the District shall be notified as Special Court under section 84 of this GoUP vide notification no. 11/2019/858/VII-Nyay-2-2019-17/2019 dated 20-5-2019 has been issued to this effect.
8	West Bengal	Notification of Special Court vide memo no.376/WCDSW/18 dated 22.11.2018 of the Department of W & CD & SW. Judicial Department has forwarded the same to Registrar, Calcutta High Court for taking up the matter with Hon'ble Chief Justice for his kind consent.

### 3.3 Inclusive education and Adult Education

**A. Status of Transportation facilities:** Section 16 (viii) Provide transportation facilities to the children with disabilities and also the attendant of the children with disabilities having high support needs.

Table-7: Travelling Allowance

#	State	Yes			No			Don't Know		
		PWD	SP	Total	PWD	SP	Total	PWD	SP	Total
1	Assam	14	3	17	6	0	6	0	0	0
2	Bihar	16	3	19	4	0	4	0	0	0
3	Jharkhand	13	3	16	7	0	7	0	0	0
4	Madhya Pradesh	14	3	17	6	0	6	0	0	0
5	Meghalaya	16	3	19	4	0	4	0	0	0
6	Rajasthan	14	3	17	6	0	6	0	0	0
7	Uttar Pradesh	12	3	15	8	0	8	0	0	0
8	West Bengal	16	3	19	4	0	4	0	0	0
	<b>Total</b>	<b>115</b>	<b>24</b>	<b>139</b>	<b>45</b>	<b>0</b>	<b>45</b>	<b>0</b>	<b>0</b>	<b>0</b>
	Percentage	71.88	100.00	75.54	28.13	0.00	24.46	0.00	0.00	0.00



75.54% respondent said that there is provision for transportation facilities while 24.46% denied from any such provisions. Though the facilities are limited to Government buses. In all selected states except Meghalaya steps for identification for Persons with disability with High Support needs has not been initiated, therefore the attendants of Such CWSN don't get transportation facilities. In Samgra Shiksha there is provision of Escort Allowance of Rs. 250.00 PM at the elementary level and Rs. 100.00 PM for 10 months at the secondary level.

Table-8: Escort Allowance

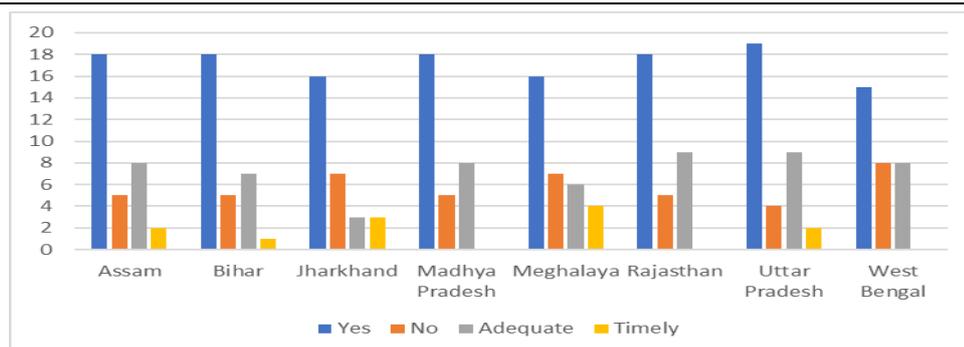
#	State	Elementary level			Secondary Level		
		Total	EA provided	%	Total	EA provided	%
1	Assam	53102	14332	26.99	5290	2806	53.04
2	Bihar	163240	8518	5.22	14487	1182	8.16
3	Jharkhand	43503	2451	5.63	7764	587	7.56
4	Madhya Pradesh	122878	9870	8.03	15715	1532	9.75
5	Meghalaya	3649	766	20.99	429	151	35.20
6	Rajasthan	60730	12479	20.55	19810	7482	37.77
7	Uttar Pradesh	318215	26359	8.28	8378	2983	35.61
8	West Bengal	117712	24125	20.49	34980	16791	48.00
	<b>Total</b>	<b>883029</b>	<b>98900</b>	<b>11.20</b>	<b>106853</b>	<b>33514</b>	<b>31.36</b>

Table 7 reflects that only 11.20% enrolled CWSN at the elementary level and 31.36% enrolled CWSN at the secondary level are provided with Escort Allowances during the financial year 2021-22.

**B. Status of provision of TLM and Assistive Devices - Section 17(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;**

Table-9: TLM & Assistive Devices

#	State	Yes	No	Adequate	Timely	Fact
1	Assam	18	5	8	2	Yes
2	Bihar	18	5	7	1	Yes
3	Jharkhand	16	7	3	3	Yes
4	Madhya Pradesh	18	5	8	0	Yes
5	Meghalaya	16	7	6	4	Yes
6	Rajasthan	18	5	9	0	Yes
7	Uttar Pradesh	19	4	9	2	Yes
8	West Bengal	15	8	8	0	Yes
<b>Total</b>		<b>138</b>	<b>46</b>	<b>58</b>	<b>12</b>	
Percentage		75.00	25.00	31.52	6.52	



75% respondents said that books, Posters, Music item, Audio System, braille books, other learning materials and appropriate assistive devices to students with benchmark disabilities are provided, while 25% respondents disagreed and denied such provision. 31.52% respondents stated that these supports are adequate. Only 6.52% respondent stated that support is provided on time. As compared to TLM, respondents are more satisfied with availability of assistive devices.

In Assam a team has been constituted at the block/ cluster level to carry out assessment for the extent and type of the disability, the nature of support services required, assistive devices required by the child and the most appropriate form of special training to be given to the child etc. are ascertained by the assessment team.

In Bihar besides free text books, Braille books, other learning material and appropriate assistive devices to CWSN with benchmark disabilities free of cost up to the age of eighteen years are provided. During 2021-22 total 1223 CWSN were provided with Braille Books (elementary), 2827 CWSN were provided Assistive Devices (elementary) while 38 CWSN of secondary class got other Equipment.

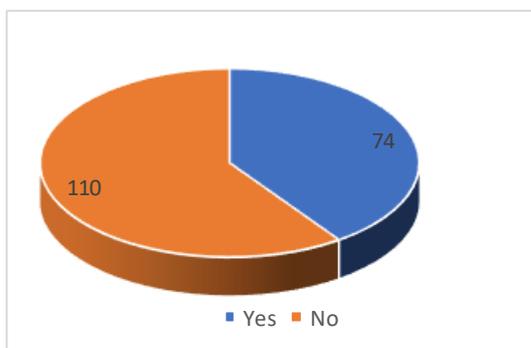
In Meghalaya 807 CWSN were provided with Aids and Appliances from ALIMCO. 297 children with ID and MD were provided with TLM Kits by NIEPID Secunderabad.

Rajasthan Government is providing Braille books and large print books as hard copies in addition to textbooks in accessible format E Text/EPUB to read it in mobile and laptop to Children with low vision or blindness.

**C. Status of provision of Scholarship-** Section 17(h) to provide scholarships in appropriate cases to students with benchmark disability.

Table-10: Provision of Scholarship

#	State	Yes	No
1	Assam	11	12
2	Bihar	4	19
3	Jharkhand	9	14
4	Madhya Pradesh	11	12
5	Meghalaya	9	14
6	Rajasthan	8	15
7	Uttar Pradesh	12	11
8	West Bengal	10	13
	<b>Total</b>	<b>74</b>	<b>110</b>
	Percentage	40.22	59.78



40.22% respondent stated that students with benchmark disability get stipend, while 59.78% respondent said the students with benchmark disabilities don't get stipend. denied it. In Bihar during 2020-21, only girls (CWSN) with benchmark were given stipend. At Pre elementary level 16 girls, Elementary level 673 and Secondary level 7106 girls with special needs were provided stipend. In Meghalaya 85 girls with disabilities at the Secondary and Higher Secondary level, were provided with stipend.

Under the Central Sector Umbrella Scheme, 2023, Pre-matric scholarship includes Maintenance allowance, Book grant and Disability Allowance as per the following rates: -

Table-11: Rate of Scholarship

#	Particular	Day Scholar	Hosteller
1	Maintenance allowance (Per month)	500.00	800.00
2	Book Grant (per annum)	1000.00	1000.00
3	Visually Impairment or CwID (per annum)	4000.00	4000.00
4	All other types of disabilities (per annum)	2000.00	2000.00

Post- Matric Scholarship is also provided to Students with Disabilities for study of all recognized post-matriculation or post-secondary courses (up to Master degree level) pursued in recognized institutions/Universities. It ranges from Rs. 550.00 to 750.00 PM for Day Scholars and Rs. 9000.00 to 1600.00 for Hostellers.

There is special provision for pursuing Graduate and Post graduate Degree/Diploma courses in Institutes of Excellence in Education as notified by the Department of Empowerment of Persons with Disabilities (Divyangjan). It includes:

- Reimbursement of tuition fees and non-refundable charges paid/ payable to the Institute Up to Rs. 2.00 lakh – per annum (subject to actual amount).

- Maintenance Allowance Rs.3,000/- per month for hostellers, Rs. 1,500/- per month for day-scholars.
- Special Allowances (related to types of disabilities like reader allowance, escort allowance, helper allowance etc.) Rs. 2,000/- per month.
- Books & Stationery Rs. 5,000/- per annum.
- Reimbursement of expenses for purchasing computer/laptop. Rs. 45,000/- as a onetime grant in the first year of the course. (For getting the benefit, student has to submit requisite documents viz., bill/receipt as proof of purchase of the Laptop/Computer).
- Reimbursement of expenses for purchase of Aids and Assistive devices relating to the particular disability of the selected candidates. Rs. 30,000/- as a one-time grant in the first year of the course. (The reimbursement is made based on the requisite documents viz., bills/vouchers submitted by the students to ensure genuineness of the claim.)

**D. Status of Accessibility (section 41) and access to information and communication technology (section 42):-**

Though these were not in the scope of study efforts were made to collect the general overview as these are related to Education. Ramps, Handrails, wide door, Audio- visuals, are the common efforts of improving accessibility in the schools. The initiative related to accessible transportation are as follows:-

#	State	Initiatives taken
1	Assam	<p>Under Section 41, there are facilities for PwDs at bus stations such as ramps, wheel chairs, signage for Persons with Disabilities, etc.</p> <p>Seat Reservation facilities, signage both audio-visual and by default, the Kneel - down feature available in some of the vehicles of the Corporation.</p> <p>Other facilities such as:</p> <ol style="list-style-type: none"> <li>1. Bus doors are at least 1200 mm wide.</li> <li>2. Apparatus such as hydraulic lift or pull-out/ foldable ramp at the entrance of the bus.</li> <li>3. Low floor buses with Kneel down feature in some of the buses.</li> <li>4. Handrails and/ or stanchions at the entrance of the bus.</li> <li>5. Footlights at the entrance of the bus.</li> <li>6. At least two (2) passenger seats in case of Mini &amp; Midi buses.</li> <li>7. At least four (4) passenger seats in case of other buses designated as priority seats for PwD.</li> <li>8. Signage indicated seats designated to disabled.</li> <li>9. Space for wheelchairs at an appropriate position without preventing other passengers from getting on or off in some of the buses.</li> <li>10. Wheel stoppers and wheelchair safety belts in some of the buses.</li> <li>11. Priority seats with appropriate facility for securing the crutches, canes, walkers, etc.</li> </ol>

		<p>12. audio/ Visual or Audio - Visual Information System permitting driver or recorded or digitised human speech/ visual messages</p> <p>“E-prastuti” is an initiative by Govt. of Assam under which Standardized Websites Framework (SWF) has been developed. Using the framework 204 standardized websites were developed for Govt. departments and its sub-organizations.</p> <p>The websites developed under e-Prastuti are fully GIGW (Guidelines for Indian Government Websites) Complaint. These websites are also Web Content Accessibility Guidelines (WCAG) 2.00 compliant (Level A &amp; AA).</p>
2	Bihar	<p>2 seats are reserved in buses for PWDs. Ramps have been provided and free concessional bus pass are made available to PWDs. 219 out of 440 govt. owned buses made accessible.</p> <p>Awareness programmes are being conducted to make available universally designed electronic goods and equipment. Integrated State Govt. website and 44 public documents identified made accessible following GIGW to be launched soon.</p>
3	Jharkhand	<p>Letter has been issued to Department of Transport, Govt. of Jharkhand through letter no-95, dated 05.05.2022 &amp; letter no-76, dated 20.08.2009.</p> <p>Letter has been issued to Divisional Railway Manager, Jharkhand through letter no – 519, dated – 03.09.2020</p> <p>Letter has been issued to Department of Information and Public Relation, Govt. of Jharkhand vide this letter no-96, dated 05.08.2022.</p> <p>No specific information available.</p>
4	Madhya Pradesh	50% Concession to PwDs and 28 web sites have been made accessible.
5	Meghalaya	<p>37 Mini buses of Ashok Leyland are accessible to persons with disabilities. Seats have been reserved for Persons with Disabilities in these buses and manual assistance is being provided.</p> <p>Under Accessible India Campaign, 35 (Thirty five) websites of the Govt. of Meghalaya have been selected by the Ministry to make them accessible to the persons with disabilities. Ernet India (empanelled agency by the Ministry) has developed 31 websites.</p>
6	Rajasthan	<p>Arrangement have been made for reservation of buses, arrangement of wheel chairs at bus stands, construction of permanent ramps at major bus stands to be cordial with them during the journey and to provide full support to the differently-abled to board/deboard from buses.</p> <p>In compliance of the decision of the Hon’ble Supreme Court, in 25% of public transport buses were facilitated as per 11.7.12 of the guidelines issued by the Ministry of Road Transport and Highways Government 208 of India. To provide facilities to Persons with Disabilities low-floor 1200 mm door directed for at present there is not a single vehicle of low floor 1200 MM available in the corporation buses.</p> <p>Under the Accessible India Scheme of the Government of India, the</p>

		<p>Directorate of Special Aabled Persons uner the Accessible India Scheme issued by the Governemnt of Rajasthan through the Public Works Department approval for construction work for the disabled in 06 units which were selected by the DSAP was done. According to the above approval the work was done in 5 units of the corporation by PWD Department.</p> <p>Screen Reader Access is being provided on most websites and portals. A Circular dated 09.03.2021 issued by Chief Secretary of Rajasthan for compliance of Section 42 of RPwD Act 2016.</p> <ol style="list-style-type: none"> <li>1. About 75% of the websites created and maintained by the department have been made Divyangjan friendly, the remaining website is being made Divyang friendly.</li> <li>2. The website of Government Department, Departments Boards, PSU, Institutions which is being created and maintained by the concerned department, has been written to make those websites accessible to the PwDs.</li> <li>3. Training has been given to make all websites of all Government Departments, Boards PSUs, and Institutions accessible to the specially abled.</li> </ol>
7	Uttar Pradesh	<p>According to the report received by the Managing Director, UP State Road Transport Corporation:</p> <ol style="list-style-type: none"> <li>1. Ministry of Road Transport and Highway, Govt. Of India through letter No.-11036/07/2016 MVL dated 04-03-2016 and letter No.- 23018/1/2016-T dated 07-04-2017 has been informed that the order has been given for Divyangjan in Bus Code AIS : 052</li> <li>2. AIS : 052 Bus Code has provision for Divyangjan, that is basically the peration of Type-] Buses under the Ministry of Urban Development.</li> <li>3. It is also to be brought to the notice in this context that the provision given in Clause-4(b) of Chapter-VII of the RPWD Act-2016 "Access to all modes of transport that conform to the standards, design including retrofitting old modes of transport, wherever technically feasible and safe for persons with disabilities, economically viable and without entailing major structural changes indesign." The type-2 buses operatedby the corporation have a floorheight of about 1100 mm. It is not possible to reduce the floor height of corporation buses.</li> <li>4. According to the provisions given for Divyangjan in Bus Code AIS: 052, the following arrangements can be made in the form of Type-2 retrofitting operated by the Transport Corporation) <ol style="list-style-type: none"> <li>a. 04 seats to be reserved for Divyangjan.</li> <li>b. Display of pictograms on the seats for the convenience of PwDs.</li> <li>c. Arrangement for keeping the crutches of PwDs.</li> <li>d. Provision of grab handle, handrail and arm link at the passenger door for easy boarding of PwDs.</li> </ol> </li> <li>5. In relation to the above 04 points around 16000 buses have been</li> </ol>

		retrofitted. 6. 221 ramps, 195 railings and 192 toilets have been constructed and 190 wheel chairs have been provided in various UPSRTC Bus Depots to be used for PWBDs. UPSRTC has committed to make more such facilities available for PWBDs in due course of time.
8	West Bengal	There are 3462 no. of Govt. buses in West Bengal. Among which 1468 buses are accessible.  All the departments have been instructed for making their websites disabled friendly and websites of nineteen (19) departments have so far been made fully complied in this respect.

### 3.4 Vocational training and self-employment

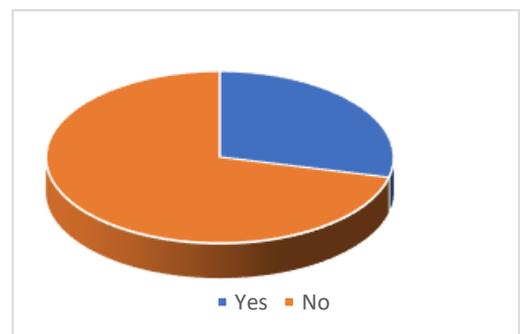
A. Section 19: Has the appropriate Government formulated schemes and programmes including provision of loans at concessional rates to facilitate and support employment of persons with disabilities especially for their vocational training and self-employment.

28.80% respondent said that state Government has formulated 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, while 71.20% denied it.

Bihar, Jharkhand, Meghalaya and Rajasthan have made special provision to address section 19 of the RPWD Act. These states have made provision for “State fund for PwD” (Section 88 of RPWD Act). The initial amount of state fund for PwD include Rs. Two Crore. Under State Fund for Disabilities PwDs are provided loan up to Rs. 50000.00.

Table-12: Provision for loan for supported employment

#	State	Yes	No	Fact
1	Assam	0	23	No
2	Bihar	9	14	Yes
3	Jharkhand	8	15	Yes
4	Madhya Pradesh	2	21	No
5	Meghalaya	14	9	Yes
6	Rajasthan	12	11	Yes
7	Uttar Pradesh	3	20	No
8	West Bengal	5	18	No
	<b>Total</b>	<b>53</b>	<b>131</b>	
	Percentage	28.80	71.20	0.00



In Assam at present there is no existing schemes and programmes or provisions of loan at concessional rate to facilitate Vocational Training and Self-Employment of PwDs. However, the Directorate of Employment & Craftsmen Training, Assam follow all norms relating to admission of PwD candidate in Industrial Training Institute (ITI) of the State. It is also to be stated that the construction of Divyang ITI, Dibrugarh exclusively for PwDs is under process which will certainly give impetus to the PwDs.

Bihar Mukhya Mantri Swarozgar ewam shiksha yojna with provision of loan up to Rs. 25000.00 on 5% interest rate for maximum seven years for self-employment and education is implemented for PWDs. In Meghalaya the Social Welfare Department is extending grant in aid to NGOs to run Vocational training for PwDs. In the year 2021-22, 12 NGOs had been assisted and fund had been released. The state has revised the rate of unemployment allowance to PwDs to Rs. 1500/- per month which is effective from financial year 2022-23.

In Rajasthan Specially Aabled Persons (SAP) whose parents/guardian's and self-income don't exceed Rs. 2.00 lakh per annum have provision loan up to Rs. 5.00 lakh, on which 50 percent of the loan amount or maximum of Rs 50 thousand, whichever is less, is given as grant under "Mukhya Mantri Vishesh Yogyajan Swarojgar Yojna" for self-employment. 1330 PwDs were provided support till March 2023, under the scheme.

The state wise details of beneficiaries under National PwDs Finance Development Corporation (NHFDC) as on 30.09.2023 are as follows:

Table-13: Loan provided by NHFDC

#	State	No. of PwD
1	Assam	386
2	Bihar	523
3	Jharkhand	1018
4	Madhya Pradesh	3181
5	Meghalaya	935
6	Rajasthan	10158
7	Uttar Pradesh	95
8	West Bengal	1290
	<b>Total</b>	<b>17586</b>

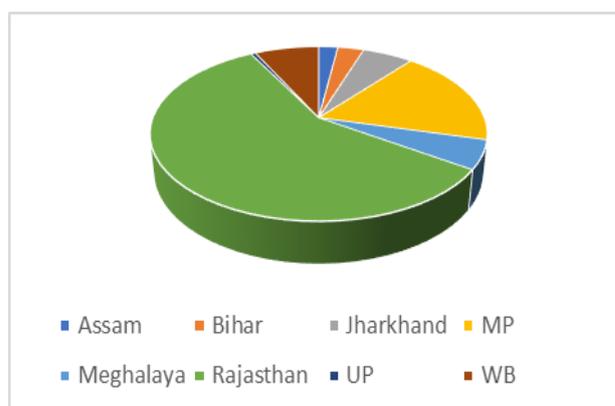


Table- 12 reflects that Rajasthan has provided most support in this scheme with 57.76% beneficiaries from selected state and 5.15% at the National level. States from south India and Haryana, Maharashtra have utilized this scheme effectively. From the largest state Uttar Pradesh only 95 PwDs have benefitted from this scheme.

The scheme National PwDs Finance Development Corporation (NHFDC) provides loan (minimum 50000.00 and Maximum 50 lakhs) on concessional rate (5% up to 50K, 6% up to 5 lakhs, 7% up to 15 lakhs, 8% up to 30Lakhs and 9% for more) for supported employment.

Eligibility criteria for availing loan from NHFDC are as follows:

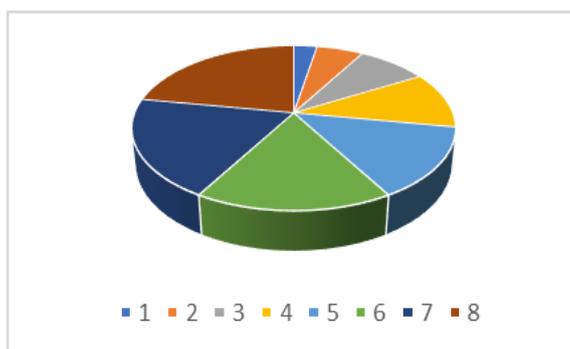
- i. Any Indian citizen with 40% or more disability ((Disability as defined in PwD Act, 2016 or its amendments).
- ii. Age above 18 years. However, in case of persons with Intellectual disabilities, the eligible age would be above 14 years. The age criteria is not required for educational loans. Age certificate issued by competent authority authorized by the State Government or as mentioned in the 10th certificate or any other certificate issued by the government is sufficient.

- iii. Possession of Unique Disability ID (UDID) Number/ UDID Enrolment Number (in case UDID No. is not available).
- iv. The applicant has to submit the loan applications in the prescribed format to implementing agencies notified by state Government.
- v. The implementing agencies scrutinize and sanction loan in accordance with the guidelines for sanction of loan issued by NHFDC from time to time.
- vi. An existing beneficiary of NHFDC may be extended the facility for repeat loan having a good repayment track record; i.e. he/she should not have defaulted in the repayment of dues in respect of the earlier loan by a period of 3 months or more at any point of time.

**B. Status of Microcredit to PwD:** States have not constituted any separate schemes for Microcredit but the interested PwD have been organized into Self Help Groups and have been linked with National Rural Livelihood Mission for micro credit. State wise beneficiaries for microcredit are as follows: -

Table-14: Linkage with Microcredit

#	State	No. of PwD	Percentage
1	Assam	3523	0.64
2	Bihar	5805	1.05
3	Jharkhand	23781	4.32
4	MP	76798	13.95
5	Meghalaya	5950	1.08
6	Rajasthan	62582	11.36
7	Uttar Pradesh	278016	50.48
8	West Bengal	94254	17.12
	<b>Total</b>	<b>550709</b>	<b>100</b>



Though Uttar Pradesh has not linked adequate PwD from NHFDC, the state has optimally utilized NRLM scheme and has linked 50.48% PwD from selected states with Microcredit. West Bengal with 17.12% and Madhya Pradesh with 13.95% along with Rajasthan 11.36% have also performed well in this scheme.

Bihar with 2.97% in NHFDC scheme and 1.05% in NRLM scheme is far behind in providing microcredit to Persons with disabilities for supported employment.

### 3.5 Social Security

**A. Section 24.d:** Special schemes and programs to support women with disability for livelihood and for upbringing of their children.

No selected state has formulated Special schemes and programs to support women with disability for livelihood and for upbringing of their children. However, they have preferred to link the women with disability with the Microcredit scheme of NRLM. In West Bengal the “Lakshmir Bhandar” scheme is a financial assistance program launched by the government of West Bengal to provide a one-time grant of Rs. 1000 to women from economically weaker sections of society including Women with disabilities.

Table-15: Special Provision for Women

#	State	Yes	No	Fact
1	Assam	0	23	No
2	Bihar	0	23	No
3	Jharkhand	0	23	No
4	Madhya Pradesh	0	23	No
5	Meghalaya	0	23	No
6	Rajasthan	0	23	No
7	Uttar Pradesh	0	23	No
8	West Bengal	4	19	Yes
<b>Total</b>		<b>4</b>	<b>180</b>	

**B. Section 24.h:** Provision for Unemployment allowances to persons with disabilities registered with Special Employment Exchange for more than two years.

As per the guidelines of Special Employment Exchange, a disabled person who is having disability certificate issued from the Competent authority, not less than matriculate, age between 18-48 years, registered in the Special Employment Exchange and who is not occupied in any gainful occupation is eligible for Unemployment Allowance of Rs. 400.00 PM after matriculation, Rs. 600.00 after Graduation and Rs. 1000.00 PM after Post Graduation.

Under Pradhan Mantri unemployment Scheme 2023, the unemployment allowance is Rs. 2000.00 to Rs. 2500.00 PM. No specific provision has been made for PwD.

Assam and Meghalaya have made provision of unemployment allowance to PwD. It is Rs. 100.00 PM and Rs. 1000.00 PM respectively. Besides the Central schemes, following states have made provision for unemployment allowances per month is as follows: -

Table-16: Rate of unemployment Allowance

#	State	General	PwD (Rs.)	#	State	General	PwD(Rs.)
1	Assam	1000	100	5	Meghalaya	1500	1500
2	Bihar	1000	-	6	Rajasthan	4000	-
3	Jharkhand	5000-7000	-	7	Uttar Pradesh	1000-1500	-
4	Madhya Pradesh	1000	-	8	West Bengal	1500	-

All selected respondents except from Meghalaya said that they have no idea about it. They were unaware of the provisions of Special Employment Exchange. 76% respondents from Meghalaya were aware of the provision of unemployment allowance.

In the Country Chandigarh, Manipur and Mizoram provides Unemployment allowances to persons with disabilities registered with Special Employment Exchange for more than two years. Mizoram has highest rate with Rs. 3000.00 per month.

Among the selected states Meghalaya has provided unemployment allowances to 336 PwDs registered with Special Employment Exchange for more than two years.

**C. Section 24.i:** Provision for Care-giver allowances to persons with disabilities with high support needs.

All selected respondents except from Meghalaya said that they have no idea about it. They were unaware of the provisions of Care-giver allowances to persons with disabilities with high support needs. 62% respondents from Meghalaya were aware of the provision of care-Giver Allowances.

In the Country only Meghalaya and Manipur provide Care-Giver Allowances of Rs. 1000.00 PM. Karnataka Government has also made provision of Carers Allowance of Rs. 1000.00 PM to Carers of Children with Cerebral Palsy, Muscular Dystrophy, Parkinson's disease and Multiple Sclerosis.

### **3.6 Culture and recreation**

**Section 29.b:** Progress towards the provision "Disability history museums to be developed or established.

All selected respondents except from Meghalaya said that they have no idea about it. In India efforts have been made to make the Museums disability friendly and accessible but no disability History museums has been developed.

Rajasthan has made following specific efforts to make the historical places and museum accessible for PwD: -

#### **Amber Fort Jaipur:**

- Ramps were built in the palace complex to facilitate the movement of PwDs.
- Adequate number of wheelchairs were made available for the PwDs.
- Special toilets are available for PwDs.

#### **Hawamahal Jaipur:**

- Free entry to the monument for PwDs.
- Ramps facility available.
- Wheel chair facility available.
- Hindi/English language brochures in Braille script are available for visually tourists.
- Special toilets are available for PwDs.

#### **Nahargarh Fort Jaipur:**

- Free entry to the monument for PwDs.
- Ramps facility available.
- Vehicles of PwDs are allowed to reach the Monument Complex and the Palace.
- Wheel chair facility available.
- Guest Room is made for the rest of the PwDs persons.

#### **Jantar Manter Jaipur:**

- Ramps facility and toilet facility is available.
- Wheelchair facility available.

- 205 Special toilets are available for PwDs.
- Minute documentary film is run in Hindi/English language for the information about the instruments located in the monument.

**Government Central Museum Albert Hall Jaipur:**

- Free entry to the museum for Persons with Disabilities.
- Ramps facility is available.
- Wheel chair facility available.
- Special toilets are available for PwDs persons.

**Government Museum Jodhpur / Mandore /Pali / Mount Abu /Bikaner/ Jaisalmer & Art Gallery Chandravati Sirohi**

- Ramps facility and toilets are available for persons with disabilities.
- The desired assistance is provided to the disabled artist/disabled people and on receipt of the proposal, space is reserved for the programs as per the rules.
- Ramps, Wheel Chairs, Special toilets are arranged for the PwDs to Monuments & Museums.

**Key Reflections:**

Efforts have been made to implement RPwD Act, 2016 by all selected states. They have made the State rules, but Bihar, Jharkhand, Madhya Pradesh and Utter Pradesh have not notified it. The incidences of formulation of Committee for Research on Disability, providing transportation facilities; TLM and appropriate assistive devices; scholarships; loans at concessional rates; microcredit, Care-giver allowances etc. have been recorded in all states. But the implementation is not uniform across the states and efforts are not uniform across different sections. The states have taken significant steps to implement some sections but at the same time their efforts were limited towards other sections. For example, Bihar has made specific steps for Education of the PwDs, i.e. sections 16-18 but little has been done for supporting livelihood and employment.

Some efforts of the state Government reflect in the quantitative terms like provision of TLM, linkages with microcredit, transport facilities, barrier free environment for improving transportation, escort allowance etc. but these is need of qualitative improvement in terms of adequacy, efficacy and accessibility of available TLM, availability of transport facilities in rural and remote areas, timely availability of TLM, timely disbursement of escort allowances, simplification of loan and Micro credit process.

There is need of improvement in implementation of the Act. It is duty of the state. But the implementation should not be for the sake of only reporting and implementation, rather for improving quality of life of Persons with disability, their mainstreaming and ensuring their rights. Implementation of some schemes doesn't have financial implications. Such sections e.g. Section 6 "Protection from cruelty and inhuman treatment" may be implemented properly by focusing right based attitude.

## **Chapter -4**

### **Conclusion and Recommendations**

#### **4.1 Major Findings:**

Major findings of the study are as follows:

- i. Section 6- “Protection from cruelty and inhuman treatment”: 65.22% respondents are aware of the formation of the Research Committee. Most of the respondents added that though the Committee for Research on Disability has been formed but it is non-functional. Besides Rajasthan and Madhya Pradesh, meeting of the Committee has not been held.
- ii. Section 8- “Protection and safety”: Only 26.09% respondents are aware of the initiative taken for the Disaster preparedness by the district authority. 100% service providers said that DDMA may have collected data of PwD, but none of the Persons with disability have ever been contacted by DDMA.
- iii. The Assam State Disaster Management Authority (SDMA) has brought out a publication for awareness generation among PwDs on tackling natural and other disasters. This publication is also available in Braille Script for visually impaired, while Bihar has developed SoP for the same.
- iv. Section 16 (viii)- transportation facilities: 75.54% respondent said that there is provision for transportation facilities, but these are limited to the urban areas and the available facilities are not accessible. In Samgra Shiksha scheme there is provision of Escort Allowance of Rs. 250.00 PM at the elementary level and Rs. 100.00 PM for 10 months at the secondary level. In the selected states only 11.20% enrolled CWSN at the elementary level and 31.36% enrolled CWSN at the secondary level are provided with Escort Allowances during the financial year 2021-22.
- v. Section 17(g)-TLM and appropriate assistive devices: 75% respondents said that books, Posters, Music item, Audio System, braille books, other learning materials and appropriate assistive devices to students with benchmark disabilities are provided, while 25% respondents disagreed and denied such provision. 31.52% respondents stated that these supports are adequate. Only 6.52% respondent stated that support is provided on time. As compared to TLM, respondents are more satisfied with availability of assistive devices, because most of the available TLM are not customized as per category of disability. It was also reported that paly material, posters, Books, tactile shapes etc. are generally kept in Almirah. These are used by teachers while teaching but hardly accessible to CWSN for self-learning.
- vi. Section 17 (h)-Provision for scholarships: 40.22% respondent stated that students with benchmark disability are provide with stipend. In Bihar stipend is mainly provided to girls with special needs. Under the Central Sector Umbrella Scheme, 2023, Pre-matric scholarship includes Maintenance allowance, Book grant and Disability Allowance. There is special provision for pursuing Graduate and Post graduate Degree/Diploma courses in Institutes of Excellence in Education as notified

by the Department of Empowerment of Persons with Disabilities (Divyangjan). None of the selected respondents were aware of these provisions.

- vii. Section 19-provision of loans at concessional rates: Only 28.80% respondent said that state Government has formulated schemes and programmes including provision of loans at concessional rates.
- viii. Bihar, Jharkhand, Meghalaya and Rajasthan have made special provision to address section 19 of the RPWD Act. Provision has been made from “State fund for PwD” (Section 88 of RPWD Act). The initial amount of state fund for PwD include Rs. Two Crore. Under State Fund for Disabilities PwDs are provided loan up to Rs. 50000.00.
- ix. In Rajasthan Specially Abled Persons (SAP) whose parents/guardian's and self-income don't exceed Rs. 2.00 lakh per annum have provision loan up to Rs. 5.00 lakh, on which 50 percent of the loan amount or maximum of Rs 50 thousand, whichever is less, is given as grant under “Mukhya Mantri Vishesh Yogyajan Swarojgar Yojna” for self-employment. 1330 PwDs have been provided support till March 2023, under the scheme.
- x. Bihar Mukhya Mantri Swarozgar ewam shiksha yojna with provision of loan up to Rs. 25000.00 on 5% interest rate for maximum seven years for self-employment and education is implemented for PWDs. In Meghalaya the Social Welfare Department is extending grant in aid to NGOs to run Vocational training for PwDs. In the year 2021-22, 12 NGOs had been assisted and fund had been released. The state has revised the rate of unemployment allowance to PwDs to Rs. 1500/- per month which is effective from financial year 2022-23.
- xi. Rajasthan has provided most support under NHFDC scheme with 57.76% beneficiaries from selected state and 5.15% at the National level.
- xii. The eligibility Criteria for availing loan from either NHFDC or State fund mentioned looks simple. But most of the applicants face difficulties in finding Government Guarantor (NHFDC), developing proposal for the business, arranging matching contribution. Non-sensitivity of the local Channelizing agencies was also reported as barrier by most of the respondents.
- xiii. Section 19-Microcredit: Uttar Pradesh has optimally utilized NRLM scheme and has linked 50.48% PwD or their family members from selected states with Microcredit. West Bengal with 17.12% and Madhya Pradesh with 13.95% along with Rajasthan 11.36% have also performed well in this scheme.
- xiv. Bihar with 2.97% in NHFDC scheme and 1.05% in NRLM scheme is far behind in providing microcredit to Persons with disabilities for supported employment.
- xv. Section 24- Special schemes and programs to support women with disability for livelihood and for upbringing of their children: No selected state has formulated Special scheme and program. In West Bengal the “Lakshmir Bhandar” scheme is a financial assistance program launched by the government of West Bengal to provide a one-time grant of Rs. 1000 to women from economically weaker sections of society including Women with disabilities.

- xvi. Unemployment allowances: In the Country Chandigarh, Manipur, Meghalaya and Mizoram provides Unemployment allowances to persons with disabilities registered with Special Employment Exchange for more than two years. Mizoram has highest rate with Rs. 3000.00 per month.
- xvii. Care-giver allowances: In Meghalaya, there is provision for Care-giver allowances to persons with disabilities with high support needs. 62% respondents from Meghalaya were aware of the provision of care-Giver Allowances.
- xviii. After 7 years of enactment of the RPWD Act, 2016, its implementation is at infancy stage and basic steps by state government has not been taken.

## 4.2 Recommendations

- Best practices from different states may be used as advocacy tool for influencing the state Government for proper implementation of “the Rights of Persons with Disabilities Act, 2016 in general and selected sections in particular.
- All selected states use “Task based approach” instead of focusing on the outcomes. This will not serve the purpose. Under RPwD Act state different structures have been suggested at the State and Districts. Formulation of structures is not adequate. Focus should be given on proper functioning of these structures including “Research Committee (section 6), Inclusive DDMA(Section-8), District Level Committee (section-72), notification of assessment of Children in need of High Support etc.
- State disability Commissioner has significant role in ensuring implementation of the Act. In Jharkhand the post is vacant since last two years. Such violation of Act should be raised at state and national level.
- State should scale up the existing coverage of Scholarship, loan, Escort allowances, adequate and accessible TLM. TLM must be customized as per needs of different categories of CWSN. Advocacy may be done by focusing on the gaps.
- Central Schemes like loan from NHFDC and NRLM-NULM must be optimally utilized. State fund for Persons with disabilities constituted under section 88 of RPWD Act may be utilized for soft loan for PwD. Advocacy for special preference to PwID-MwMD, and simplification of the process may be done.
- Interface meeting with District Disaster Management Authority may be done for maintaining records 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.
- Training of the partner organization, PwDs, their parents and organization on the specific provisions of the RPWD Act.

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**Progress of implementation of The Rights of Persons with Disabilities (RPWD) Act, 2016 – Data collection Tool**

	Particular	Yes	No	Remarks
1	Has state government formed the rule to implement RPWD Act 2016			
2	Has this rule been notified?			
3	Did the government constituted a Committee for Research on Disability 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 organization as defined under clause (z) of section 2?			
4	Is the meeting of the Committee being held?			
5	Is the District Disaster Management Authority constituted under section 25 of the Disaster Management Act, 2005 (53 of 2005) maintaining records 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?			
6	Have you ever been contacted by DDMA?			
7	Does state provide transportation facilities to the children with disabilities?			
8	Does state provide transportation facilities to the attendant of the children with disabilities having high support needs?			
9	Does state provide books, other learning materials and appropriate assistive devices to students with benchmark disabilities free of cost up to the age of eighteen years?			
10	Are these supports adequate?			
11	Are TLM and Assistive devices provided on time?			
12	Does Satet provide scholarships in appropriate cases to students with benchmark disability?			
13	Has the appropriate Government formulated schemes and programmes including			
14	Provision of loans at concessional rates to facilitate and support employment of persons with disabilities especially for their vocational training and self-employment.			
15	Loans at concessional rates including that of microcredit.			
16	Is there any Special schemes and programs to support women with disability for livelihood and for upbringing of their children?			
17	Is there any provision for Unemployment allowances to persons with disabilities registered with Special Employment Exchange for more than two years?			
18	Is there any provision for Care-giver allowances to persons with disabilities with high support needs?			
19	Is work for provision "Disability history museums to be develop or established" (Section 29 "Culture and recreation" of RPWD Act) started in the state?			