

## **Centre / State Acts and Rules on Disability and Mental Health**

<http://www.indiacode.nic.in>

Mental Health Act, 1987, (No.14 of 1987)

National Narcotics and Psychotropic Substance Abuse Act, 1985  
(No.61 of 1985)

National Trust for welfare of persons with Autism, cerebral palsy, Mental retardation and multiple disabilities act, 1999, (No. 44 of 1999)

National Trust for welfare of persons with Autism, cerebral palsy, Mental retardation and multiple disabilities rules, 2000  
<http://www.socialjustice.nic.in/pwdact1995.php>

Board of the Trust Regulation, 2001 (GSR 579 (E))  
<http://www.socialjustice.nic.in/pwdact1995.php>

Person with Disabilities (Equal Opportunism, Protection of Rights and Full Participation) Act, 1995, (No.1 of 1996)

Person with Disabilities (Equal Opportunism, Protection of Rights and Full Participation) Rules, 1996, 1999. 2000  
<http://www.socialjustice.nic.in/pwdact1995.php>

Protection of Human Rights Act, 1993 (No.10 of 1993)

Rehabilitation Council of India Act, 1992 or 1993 (No. 34 of 1992)

Rehabilitation Council of India Rules and regulations, 1997  
[http://rehabcouncil.nic.in/council/rule\\_reg97.htm](http://rehabcouncil.nic.in/council/rule_reg97.htm)

### **National Policies/Schemes**    <http://socialjustice.nic.in>

Empowerment of Person with disability – Schemes / Programmes

National Education Policy, 1986 & 1992  
<http://education.nic.in/policy/npe86-mod92.pdf>

National Health Policy.  
<http://www.mohfw.nic.in/np2002.htm>

National Mental Health Programme, 1982 and 1996

National Policy for persons with disabilities, 2006

<http://socialjustice.nic.in/policiesacts3.php>

Planning commission, Five Year Plan Sector wise plan outlay & expenditure

<http://planningcommission.nic.in>

### **Useful Links:-**

Ministry of Social Justice and Empowerment

<http://www.socialjustice.nic.in>

Ministry of Health and Family Welfare, Department of Health

National Institute for the Mentally Handicapped

<http://www.nimhindia.org>

National Trust for the Welfare of Persons with Autism, Cerebral palsy, Mental retardation and multiple disabilities

<http://www.nationaltrust.org.in>

National Institute of Health & Family Welfare

Office of the Chief Commissioner for persons with disabilities

<http://www.ccdisabilities.nic.in>

Rehabilitation Council of India

<http://www.rehabcouncil.nic.in/home.htm>

United Nations : ENABLE

<http://www.un.org/disabilities/>

## Constitution of India

### PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;

and to promote among them all

FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

**Article 14. Equality before law.**—The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

**Article 15. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.**—(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

(2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to—

- a) access to shops, public restaurants, hotels and places of public entertainment; or
- b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of general public.

(3) Nothing in this article shall prevent the State from making any special provision for women and children.

(4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

(5) Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making an special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30.

**Article 16. Equality of opportunity in matters of public employment.–**

(1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

(2) No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.

(3) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory prior to such employment or appointment.

(4) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.

(4A) Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion, with consequential seniority, to any class or classes of posts in the services under the State in favour of the Scheduled Castes and Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.

(4B) Nothing in this article shall prevent the State from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under clause (4) or clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of fifty per cent. reservation on total number of vacancies of that year.

(5) Nothing in this article shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body thereof shall be a person professing a particular religion or belonging to a particular denomination.

**Article 38. State to secure a social order for the promotion of welfare of the people**—(1) The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order which justice, social, economic and political, shall inform all the institutions of the national life.

(2) The State shall, in particular, strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.

**Article 41. Right to work, to education and to public assistance in certain cases.**—The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.

## **SEVENTH SCHEDULE**

**[Article 246]**

### **List I—Union List**

**Entry No. 13.** Participation in international conference, associations and other bodies and implementing of decisions made thereat.

### **List II–State List**

**Entry No. 9.** Relief of the disabled and unemployable.

### **List III–Concurrent List**

**Entry No. 16.** Lunacy and mental deficiency, including places for the reception or treatment of lunatics and mental deficient.

## **ELEVENTH SCHEDULE [Article 243G]**

**Entry No. 23.** Health and sanitation, including hospitals, primary health centers and dispensaries.

**Entry No. 26.** Social welfare, including welfare of the handicapped and mentally retarded.

## **TWELFTH SCHEDULE [Article 243W]**

**Entry No. 6.** Public health, sanitation conservancy and solid waste management.

**Entry No. 9.** Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded.