

**National Human Rights Commission**  
**(PRP&P Division JD(R) Unit)**

**Subject: Visit by Shri Rajive Raturi, Special Monitor (Thematic area of Rights of Persons with Disabilities and Elderly Persons) to Madhya Pradesh from 26<sup>th</sup> – 27<sup>th</sup> December, 2019**

Shri Rajive Raturi, Special Monitor (Thematic area of Rights of Persons with Disabilities and Elderly Persons) visited the various institutions for children with intellectual impairment and elderly persons and also had meetings with department officials in Madhya Pradesh to inspect the programmes for persons with disabilities and elderly persons and to suggest remedial measures for improvement.

Following institutions were visited in Bhopal:

1. Asha Nikeetan Higher Secondary School for the Deaf, Bhopal
2. Shashikiya Mansik Roop Sey Avikshit Balak Balika Avasiys Vidyalaya, Bhopal
3. Miriam School, Bhopal
4. Shalom Special School for Mentally Handicapped, Bhopal
5. Shaskiya Drishti evam Shravan Badhita Uccharat Vidyalaya, Bhopal
6. SOS Children Village, Bhopal
7. Asra Vridh Ashram, Bhopal

The observations and recommendations that emerged from the visit reports and from the meetings held with Government Officials in Madhya Pradesh are mentioned below:

The Special Monitor discussed the implementation of Rights of Persons with Disabilities Act, 2016 and directions of the following Supreme Court cases:

- Reena Banerjee vs. NCT of Delhi
- Rajive Raturi vs. Union of India
- Pankaj Sinha vs. Union of India

I. **Reena Banerjee vs. NCT of Delhi**

The State needs to monitor, evaluate and suggest remedial measures in residential institutions for intellectually impaired. Programmes related to health, hygiene, nutrition, safety and security, education, therapeutic interventions etc. are to be monitored and remedial measures introduced.

II. **Pankaj Sinha vs Union Of India**

- State informed that Beggars Act has been amended to remove leprosy related provisions.
- State also informed that there are 3 Leprosy colonies (Bhopal, Jhabua and Indore) which are financially supported and have 108 families staying and each family gets Rs.5000 plus Rs.600 pension per month. Land has been allocated in Bhopal but other two colonies have not been regularized.

III. **Rajive Raturi vs Union Of India**

- Against the target of making 20-50 important State government buildings in 50 cities fully accessible by December 2017: State informed that auditing of buildings has been done and proposal sent to GOI. 50 proposals have been sent to GOI and funds received for retrofitting 12 buildings in Bhopal and 2 buildings in Indore.
- Work in progress to retrofit 7 buildings in Indore and 24 buildings in Bhopal.
- Against the target of completing accessibility audit of 50% of govt. buildings and making them fully accessible in 10 most important cities/towns of states/UTs not covered in targets (i) and (ii) by December 2019; State has identified the 10 cities as Jabalpur, Gwalior, Ujjain, Sagar, Devas, Satna, Ratlam, Rewa, Moravar (kucchi), and Singrauli. Auditing request sent to GOI and waiting for a response. The State is way behind in achieving this target.
- No budgetary provisions have been made to retrofit buildings and State informed that financial priorities are different. State was informed that this could be taken up under the maintenance budgetary provisions of the PWD Department if it was possible and state informed that they would do this.

- Against the target of providing accessibility in public and private transport buses, the State informed that there were 56872 private buses and there was no Government owned transport system in the state. Of these, 4370 private buses have been made accessible and work is in progress for 14879 buses.
- State informed that permits of private transporters are being renewed after accessibility is provided in buses. Private bus transporters provide concession of fifty percent to all people with disabilities and the same is given in long distance buses as well.
- Against the target to make websites accessible, the State informed that there were a total of 40 websites, 34 of which have been made accessible. Total number of websites appears to be low.
- Against the target of making all public documents accessible, the State informed that the Education Department has started making documents accessible but other Departments are yet to do this. State needs to work on a plan to provide accessibility of all documents available in public domain
- Target of training sign language interpreters: State informed that there were SLI's in all schools and ITI's. State needs to work on this.

#### **IV. Status of implementation of Rights of Persons with Disabilities Act 2016:**

- Rules have been notified and an Advisory Board has been set up;
- District level committees have been made in 52 districts and all District level departments heads are members and committee is chaired by DC with persons with disabilities as members along with NGOs.
- Certification of new disabilities is being done and training of Civil Surgeons and Specialists has been done by Department for the same;
- Trust fund of Rs 25 crores has been made;
- Nodal officer has been appointed for Education in each district;
- 6% notification in public employment issued;
- Expert Committees for job identification have notified;

- State has not as yet designated Special Court; Public Prosecutors have not yet been appointed;
- Section 37 of the RPWD Act on 5% reservation in allotment of land and other developmental schemes not yet notified;
- Section 7 Notification for Executive Magistrates informing them of their role in protecting persons with disabilities against ill treatment, violence and abuse not yet issued;
- Section 24 on Quantum of assistance in the poverty alleviation schemes to be increased by 25% for people with disabilities not yet notified;
- Section 38 on Assessment Board for certifying High Support not yet constituted;
- Section 15 for Authorities to be notified for mobilizing community for providing support to exercise legal capacity not yet made.
- State Commissioner Disabilities is yet to implement Section 79 subsection 7 on constitution of Advisory Committee comprising of not more than five members drawn from the experts in the disability sector
- GROs in all Departments have not been notified
- Equal opportunity policies have not been notified with State Commissioner Disabilities.

### **REPORT OF VISIT TO VARIOUS INSTITUTIONS IN MADHYA PRADESH**

#### **1. ASHA NIKEETAN HIGHER SECONDARY SCHOOL FOR THE DEAF, BHOPAL**

- i. There are 83 boys and 83 girls residing in the school.
- ii. They all have disability certificates.
- iii. There are 15 classrooms with a library, science lab and a computer lab in the school. One of these classrooms is to teach typing to students.

- iv. All the students have been provided with hostel accommodation. Basic items like bed, mattresses and mosquito nets are provided and the other personal items they get from home.
- v. There are no ramps for accessibility.
- vi. For the safety of the students, CCTV cameras are installed in the hostel and classes and common areas of the premises.
- vii. The sanitation and hygiene conditions seem good.
- viii. A hospital is located close by in case any medical requirements arise.
- ix. There are two speech therapists available in the school.
- x. Normal diet is provided and a fitness certificate is taken from parents before admission of students.
- xi. There are adequate special educators and teachers for the students.
- xii. The State Government provides support of Rs 1000 per child out of which Rs 100 is deposited in the bank account of the child.

## **2. SHASHIKIYA MANSIK ROOP SEY AVIKSHIT BALAK BALIKA AVASIYAS VIDYALAYA, BHOPAL**

- i. There are a total of 53 students of which, 25 are hostellers.
- ii. They all have Aadhar cards and disability certificates.
- iii. The school has five rooms of which, one is a therapy room and the other four rooms have students distributed on the basis of IQ.
- iv. The boys hostel has two dormitories and girls hostel has one dormitory.
- v. Beds, mattresses and mosquito nets are all provided by the institution.
- vi. Ramps are built for better accessibility.
- vii. The girls hostel has two house mothers permanently and one ayah who is also a cook. Boys hostel has a security guard but no caregiver.
- viii. For the safety of the students, CCTV cameras are installed and the footage is regularly monitored.
- ix. There are 4 toilets in the boys hostel and 6 in the girls hostel.

- x. The institution has a playground where football and other outdoor activities are carried out.
- xi. Two sets of uniforms and one set of colored clothes is provided by the institution and personal clothing is provided by the parents.
- xii. Hamidia Hospital is located close by in case of any medical emergencies.
- xiii. There is one physiotherapist on contractual basis in the institution.
- xiv. There is a standard menu for all the students.
- xv. There are 6 special educators and one dance teacher in the institution.
- xvi. The State Government takes care of all costs including salaries of staff.
- xvii. Parents of children get disability pension of Rs. 600 and another Rs. 600 pension for Intellectual Disability.

### **3. MIRIAM SCHOOL, BHOPAL**

- i. The school is a church based institution providing education to children with intellectual disabilities which also has a hospital in its premises.
- ii. There are 153 students (52 girls and 101 boys) out of which 42 boys and 26 girls reside in the hostel.
- iii. Everyone has their disability certificate, UDID card as well as Aadhar card.
- iv. The school has 16 classrooms, including a gym and a music room.
- v. There are 2 big dormitories one each for boys and girls in the hostel and 2 big halls for indoor games each in girls and boys hostel.
- vi. Beds, mattresses and mosquito nets are all provided by the school.
- vii. For accessibility, there are ramps with railings and a lift.
- viii. There is one warden and five helpers in both the boys and girls hostel.
- ix. CCTV cameras are installed and they are monitored by the principal of the school.
- x. To calm down hyperactive children, the institution follows the policy of not giving things of the child's liking to him/her.
- xi. The boys hostel has 32 toilets and girls hostel has 12 toilets.
- xii. To keep menstrual hygiene, the institution maintains a register for tracking periods and accordingly provides pads to the girls.

- xiii. The school has an outdoor sheltered playground to play basket ball, football, and hockey. Students have also gone for international sporting events. Indoor activities include chess and fully equipped gym.
- xiv. Uniform and personal clothing is provided by the parents and if someone is unable to give, the institution provides.
- xv. A pediatrician comes thrice weekly and is available on call. They also have a gynecologist in their own hospital within the campus. Regular dental checkups are also provided to the students.
- xvi. Speech Therapy is provided to children who require it. Physiotherapy is provided in Asha Niketan and Psychologists are also available.
- xvii. A standard menu and dietary plan is followed.
- xviii. There are 13 special educators available in the school along with a PTI and yoga teacher.
- xix. Pre vocational training like stitching is provided to girls.
- xx. Salaries of all teaching staff and employees are provided by State Government.
- xxi. The institution takes Rs.3000 per annum per child for providing hostel facilities and day scholars pay Rs.2000 for six months.

#### **4. SHALOM SPECIAL SCHOOL FOR MENTALLY HANDICAPPED, BHOPAL**

- i. The school has 120 students of which, 35 are girls and 85 are boys. The students' age ranges from 5 to 18 years.
- ii. The school has children with Intellectual Disability, Autism and Physical Disability.
- iii. All students have disability certificates and Aadhar cards
- iv. Students are getting Rs.600 as disability pension and Rs.600 special pension for students with Intellectual Disability.
- v. The school has 12 classrooms, two halls, a physiotherapy room and occupational therapy room.
- vi. All classrooms are wheelchair accessible and students with physical disabilities are provided with wheelchairs as well.

- vii. There are 3 caretakers in the school.
- viii. 39 CCTV cameras have been set up in classrooms and the school's premises that are monitored and examined by the Principal.
- ix. There are a total of 15 toilets each for boys and girls.
- x. Outdoor activities like football, basketball, cricket etc. and indoor activities like carom, snake and ladders are available for the students.
- xi. Sisters who are doctors attend to students in case of health emergencies.
- xii. The school has one speech therapist, occupational therapist and physiotherapist, who all work part time.
- xiii. There are 7 special educators in the school along with one computer teacher, dance teacher and arts and crafts teacher.
- xiv. The school has received Rs 12 Lakh under the Grant in Aid Programme from the Central Government only once.

**5. SHASKIYA DRISHTI EVAM SHRAVAN BADHIT UCCHATAR VIDYALAYA, BHOPAL**

- i. The school has a total of 221 students of which 40 have blindness and 181 have deafness.
- ii. All students have their disability certificates and have initiated the process of getting their UDID cards.
- iii. There are 13 rooms in school for all the students and one computer room.
- iv. Hostel accommodation is only for boys. There are 2 separate dormitories for boys with blindness and 5 for boys with deafness.
- v. Beds and mattresses are all provided by the school that is supplied by the Social Welfare Department of MP Government.
- vi. There are ramps constructed for accessibility.
- vii. For safety of the students, there are 2 guards and 8 CCTV cameras in hostel and classes.



- viii. The school has outdoor activities like Badminton, Volley ball, Cricket and indoor activities like TV, ludo etc.
- ix. Two sets of uniforms, sweaters, undergarments, towel etc. are provided by the Department.
- x. Regular medical camps are organized by the school.
- xi. Standard meals are provided by the school. The food is supplied by a contractor and the school charges Rs. 69 per child for all meals.
- xii. There are 5 special educators that work with children with deafness and 4 teachers that work with children with children with blindness.
- xiii. Disability pension of Rs. 600 is deposited to each student's account.
- xiv. All staff salaries are paid by Department and expenses of running institution is met by the State Government. Government supports Rs.5000 per child for ITI after they pass out of school.

## **6. SOS CHILDREN VILLAGE, BHOPAL**

- i. The residential home has 112 occupants of which, 57 are below 18 years of age and 55 are above 18 years till 36 years.
- ii. All have disability certificates, Aadhar cards and their UDID cards are being applied for.
- iii. The premises has 10 classes of which four are special classes, one physiotherapy class, one occupational therapy class, one vocational training class, one speech therapy unit, one hydro therapy and one music class.
- iv. SOS follows a unique pattern of family homes for children and adults with disabilities with units housing, about 7 to 8 children are looked after by a house mother and an aunty.
- v. Each home has two to three rooms accommodating about 2 to 3 children in each room.

- vi. For boys above 14 years of age the village has youth homes. There are two youth homes in the village. Each home has a separate kitchen and the house mother and aunty cook the meals for the children.
- vii. For safety and security of the residents, there are 4 guards on duty round the clock in the premises.
- viii. There are 18 CCTV cameras installed and the footage is monitored by the Director.
- ix. There are house helps and sweepers to help residents for washing clothes and cleaning.
- x. For menstrual hygiene, house mother, aunty and two nurses train the girls on how to use sanitary napkins.
- xi. Football, cricket, carom and chess are available as leisure activities for the residents. A national coach, who is also special educator, is associated with Special Olympics Bharat and trains students for international sporting events.
- xii. All clothing are purchased and financed by the institution.
- xiii. There are weekly visits made by pediatrician and there are two nurses permanently available in the village. There is also a clinic in the premises.
- xiv. The village is associated with AIIMS, Anantshree, Nagpur Neuro Hospital and Rainbow Hospital for children.
- xv. There are part time speech and physiotherapist available in the village.
- xvi. A standard menu is followed but if a resident has special requirements, the needful is done. A dietician is available in the village.
- xvii. There are 8 special educators of which, 4 reside in the village. There are dance and music teachers also available.
- xviii. For vocational training, a horticulture project is being carried out which includes plucking, sorting, grading and packaging. Other trainings include stitching, paper bag making, cloth bag making and diya candles.
- xix. The village has received land from the state government but no monetary support. The village works on donations and grants received by SOS International.

## 7. ASRA VRIDH ASHRAM, BHOPAL

- i. The home has 100 residents between the ages of 60 to 95 years. There are 45 women and 55 men living in the home.
- ii. All residents have their Aadhar card.
- iii. Some residents receive old age pensions.
- iv. There is separate accommodation provided for both men and women. Two blocks for men and women and another block for the sick. Each block has dormitories and rooms. Each dormitory accommodates 10 to 12 persons.
- v. There are adequate toilets in the men and women section. In both the women and men section there are 8 toilets each. Grab bars are provided in toilets for the residents.
- vi. Wheelchairs and aids and appliances have been donated to the home for the residents.
- vii. There is a hall for recreation for the residents that can seat 200 people. For recreation TV, playing cards, carom is available. There is also a separate prayer area.
- viii. There are ramps available for accessible but they can be improved.
- ix. Regular meals are provided to the residents and special diets are provided for those who need it.
- x. The old age home has permanent doctor, a nurse, one physiotherapist. A doctor visits four days a week.
- xi. There are 18 caregivers to take care of the residents of which, 13 are women and 4 are men.
- xii. The rooms are well ventilated but the windows require shades.
- xiii. The staff is paid by the State Government. Rs. 1000 per month per resident is given by the State for food and medicines are provided by the government.

## **RECOMMENDATIONS FOR GOVERNMENT OF MADHYA PRADESH**

1. The State needs to follow directions of Supreme Court judgment in Reena Banerjee vs NCT of Delhi in CIVIL APPEAL NO.11938/2016 (Arising out of S.L.P. (Civil) No.39321/2012) dated December 08, 2016.
2. The State needs to monitor, evaluate and suggest remedial measures in residential institutions for children with blindness, deafness and intellectual disability.
3. Programmes related to health, hygiene, nutrition, safety and security, education, therapeutic interventions etc. are to be monitored and remedial measures introduced.
4. The State could consider implementing the model adopted by State Institute for Research Training and Rehabilitation (SIRTAR) set up by Government of Haryana in Rohtak. Alternatively, the SOS model for care and rehabilitation of children and adults with intellectual disabilities in Bhopal too could be looked at by the state.
5. State should consider regularising two leprosy colonies in Jhabua and Indore to ensure right to shelter of residents in line with operative part of judgment made by Supreme Court in Reena Banerjee vs NCT of Delhi.
6. The State Commissioner Disabilities needs to implement Section 79 subsection 7 on constitution of Advisory Committee comprising of not more than five members drawn from the experts in the disability sector ; GROs in all Departments need to be notified and Equal opportunity policies by all establishments should be notified with State Commissioner Disabilities;
7. Targets under Accessible India campaign as directed in Rajive Raturi vs UOI matter by Supreme Court of India have not been met in most areas. Building accessibility, transport accessibility, accessible documentation and training of sign language interpreters etc. need to be prioritized by the State and budgetary provisions need to be made for implementing the same.
8. Under the Rights of Persons with Disabilities Act of 2016, the State needs to make the following changes:
  - designate Special Court and appoint Public Prosecutors;
  - 5% reservation in allotment of land and other developmental schemes to be notified under Section 37 of the Act;

- Notification for Executive Magistrates and informing them of their role in protecting persons with disabilities against ill treatment, violence and abuse to be issued under Section 7 of the Act;
  - Quantum of assistance in the poverty alleviation schemes to be increased by 25% for people with disabilities to be notified under Section 24 of the Act ;
  - Assessment Board for certifying High Support to be constituted under Section 38 of the Act;
  - Authorities to be notified for mobilizing community to provide support to exercise legal capacity under Section 15 of the Act.
9. Department of Women and Child need to monitor Child in Need of Care and Protection homes under the JJB Act that have children with disabilities sent there by CWC's and introduce special rehabilitation measures for such children by providing special educators and therapeutic rehabilitation services to enable these children face the world once they leave these homes on completion of 18 years of age.
10. The State could consider using the disability pension and special pension of Rs 1200 for intellectual and multiple disabilities to provide additional facilities to the child within the institution instead of depositing the amount in the child's bank account.

### **RECOMMENDATIONS IN RESPECT OF INSTITUTIONS VISITED**

1. **Seva Dham in Ujjain** needs to be monitored and evaluated as this institution houses a huge number of adults with intellectually disability amongst other disabilities and is being run by an Ashram without any regular support from the Government.
2. Caregivers were found lacking in residential institutions. Government run home for intellectually impaired (**Shashikiya Mansik Roop Sey Avikshit Balak Balika Avasiys Vidyalaya**) had no caregivers in boys hostel and only part time staff was made available in the hostel.

3. There was a general lack of health care facilities in institutions. They need to empanel specialised doctors and regular gynecological and dental checkups need to be carried out.
4. Institutions need to have diet plans drawn up by dieticians and nutritionists especially for those children who require special diets. No institution had nutritionists visiting.
5. Emphasis needs to be given towards imparting vocational training to children.
6. **Asha Niketan School for the Deaf** needs to make its premises accessible.

Name of Institution: Asha Nikeetan Higher Secondary School for the Deaf

Address: Bhopal

Person met: Sister Sunanda, Principal ; Rajesh Misra, sr Teacher.

Date of Visit: 26 Dec, 2019

**General: This institution is run by Sisters of St Joseph of Chambery. The school was set up in 1969.**

-Standards and guidelines for institutions:

-Registration: Registered as Marian and Miriam Society. Registered under Social Justice Dept

-Number of residents boys/ girls; Total of 166 children reside in school. (83 boys and 83 girls)

-Their disabilities; All deaf and hard of hearing.

-Do all have disability certificates/ adhar cards; Yes.

-Restoration: All from families

Building facilities:

-School: There are 15 classes, one library, one Science lab, one computer lab. Of these one class is for teaching typing.

-Hostel accommodation; Boys hostel on top of school and girl's hostel on top floor of convent of Sisters.

Boys hostel has two dormitories and total 83 boys reside in hostel and 83 girls in girls hostel

-beds mattresses mosquito nets: Yes, basic items are provided and personal items they get from home.

-Accessibility: No ramps were visible.

-Staffing for hostel: In boys and girls hostels duty is done by Sisters and residential staff. Domestic workers in hostel also assist.

-How many caregivers and ratio for girls and boys; Sisters provide care giving.

-Other staff employed in hostel: nil.

Safety and security:

-Guards; 2 guards.

-CCTV cameras ; and examination of footage; 32 CCTV cameras installed in hostel and classes and 8 CCTV cameras installed in common areas.. Principal monitors footage.

-Isolation policy: NA

-Inclusion policy: As institution has school for blind in same premises intermingling of students is allowed.

Sanitation and hygiene :

-Toilets: 14 toilets in boys hostel and 16 toilets in girls hostel. Appear to be adequate.

- Who washes clothes and linen of residents: Dhobi washes linen twice a week.

-Who cleans toilets and how many sweepers; Residents clean toilets.

-Menstrual hygiene: Staff teaches and senior students train younger girls. Sanitary pads are provided by parents and school also has stock.

-Sports, leisure and outdoor activities:

Karate, yoga amongst other outdoor activities.

- Who provides clothing and how many sets: School uniforms provided by institution.

-Personal clothing: Personal clothing provided by parents.

-Tonsuring of hair: Regular haircuts provided.

Health; Hospital close by for consultations and general medicines provided by Sisters.

- association with hospitals: yes.

-Therapeutic interventions and rehabilitation:



-How many speech , physio ,occupational therapists; Institution has two Speech therapists. one is a Sister who is trained in speech therapy..

- Any dietician/ nutritionist available: Normal diet is given and fitness certificate taken from parents before admission.

-Is there a standard menu and describe;-What about special diets for those who need; Standard food provided and no special diet.

-Kitchen staff/ cooks and helpers; There are four Cooks and others help.

#### Education:

-special educators: Institution has 25 trained Special educators. Numbers appear to be adequate.

-Other teachers; Institution has a computer teacher, dance teacher, drawing and Fine Arts teacher , librarian and one karate teacher.

-ADL training ; Not required.

-Assessment of each child: Na.

-Curriculum followed; MP Board curriculum is followed in school.

- Is Educational material, puzzles, toys, paints, paper and other material made available; Yes.

- What vocational programmes are carried out; Nil.

-Payments for vocational work done: Nil.

-Grants: State Govt provides support of Rs 1000 per child and of this Rs 100 is deposited in the bank account of the child.

In addition salaries of 7 regular teachers and 10 contract teachers are supported by State govt.

Name of Institution: Shashikiya Mansik Roop Sey Avikshit Balak Balika Avasiys Vidyalaya( Government run)

Address: Bhopal

Person met: Mr Dheeraj Singh Dhakar, warden.

Date of Visit: 27<sup>th</sup> December, 2019

**General: Institution is part of a larger institution which also has school for blind and for the deaf.**

-Standards and guidelines for institutions adhered to: Government guidelines.

-Registration: Registered by Government of Madhya Pradesh

-Number of residents boys/ girls; Hostellers are 25. Total 53 students of which 12 are girls . Of these day scholars are 28.

-Their disabilities; All have MR and 5 children have Down syndrome

-Do all have disability certificates/ adhar cards; All have disability certificates and Adhar cards. UDID in process of making.

-Restoration: All come from families. Only two are orphaned children.

Once the orphaned children complete 18 years they will be shifted to Seva Dham Ashram in Ujjain which is an establishment housing abandoned and homeless adults with disabilities. This is an NGO run institution which has over 300 adults with intellectual disabilities.

Building facilities:

-School: five rooms and children distributed into four classes on basis of IQ. There is one Therapy room.

-Hostel accomodation facilities

Hostel; Hostel is housed in first floor of building. Boys hostel has two dormitories and girls hostel has one dormitory.

beds mattresses mosquito nets: All provided by institution.

-Accessibility: ramp provided and even the first floor which houses the hostel is connected with a ramp.

-Staffing for hostel: boys and girls. Girls hostel has two house mothers permanently and one ayah who is also a cook. Boys hostel has chowkidar and no caregivers. Boys hostel needs to have caregivers. More staff required for boys hostel.

-How many caregivers and ratio for girls and boys; no caregivers except in girls hostel.

-Other staff employed in hostel: two staff from 8 am are on duty till 2 pm. They take care of children, their eating, bathing and bring them to school. Another two staff on duty from 2 pm till 8 pm. 2 more staff are on night duty.

Safety and security;

-Guards; Chowkidars on duty.

-CCTV cameras ; and examination of footage; 8 cameras installed. Footage monitored regularly.

Sanitation and hygiene ;

-Toilets: Boys and girls hostels; Boys hostel has 4 toilets and girls hostel has 6 toilets.

- Who washes clothes and linen of residents: Ayahs wash clothes of residents and Washing machines installed.

-Who cleans toilets and how many sweepers; Sweeper cleans toilets.

-Menstrual hygiene; Ayahs assist girls during this period Sanitary pads issued.

-Sports, leisure and outdoor activities: Football and other outdoor activities carried out. Institution has playground.

- Who provides clothing and how many sets: two sets uniforms provided and one coloured set of clothes also provided.

-Personal clothing: Parents provide this.

-Tonsuring of hair: Regular haircuts given.

Health;

-Doctors on visit , dentists, gynaecologists etc ; No specialists visit institution. . Camps organized .

- association with hospitals: Hamidia hospital is close by.

-Therapeutic interventions and rehabilitation;

-How many speech , physio ,occupational therapists; One physiotherapist on contract basis comes daily. Institution needs to have more therapists visiting.

-Permanent or come on certain days and frequency: Physio comes daily.

- Any dietician/ nutritionist available: No. Institution needs to engage one.

-Is there a standard menu and describe;-What about special diets for those who need; Standard diet provided.

Education;

-special educators; Spl educators are 6.

-Other teachers; Dance.

-ADL training; Provided by special educators.

-Assessment of each child: yes.

-Curriculum followed; MDPS curriculum followed.

- Is Educational material, puzzles, toys, paints, paper and other material made available; Yes.

-Vocational training: What vocational programmes are carried out; No such programmes carried out. Institution needs to have vocational training programmes.

-Payments for vocational work done : NA.

-Grants: State government takes care of all costs including salaries of staff.

Children get disability pension of Rs 600 and another rs 600 pension for MR. Parents take this pension.

Name of Institution: Miriam School

Address: Bhopal

Person met: Sister Noella, Secretary; Sister Sheila, Principal.

Date of Visit: 26<sup>th</sup> Dec, 2019

**-General: Institution is a church based institution providing education to children with intellectual disabilities. There is a school for deaf children and a hospital in premises.**

-Standards and guidelines for institutions adhered to: The institutions follows guidelines of the congregation.

-Registration: Registered under disability law.

-Number of residents boys/ girls; There are 153 boys and girls in school of which girls are 52 .  
In the hostel 41 boys and 26 girls reside.

-Their disabilities; Mainly MR and few are Autistic who are manageable.

-Do all have disability certificates/ adhar cards; all have certificates and adhar cards as well as UDID cards

-Restoration: All come from families so no restoration is required.

Building facilities;

-School: School has 16 classrooms including gym and music room.

-Hostel accomodation facilities ; In hostel there are 2 big dormitories one each for boys and girls and 2 big halls for indoor games one each in girls and boys hostel. There is also a Linen room.

-beds mattresses mosquito nets: yes all provided.

-Accessibility: There are ramps with railings and a lift. Accessibility is not complete as per Principal as building is old.

-Staffing for hostel: boys and girls.

-How many caregivers and ratio for girls and boys; for each hostel there is one Warden, five lady helpers. Four girls hostel there are helpers.

-Other staff employed in hostel: Sisters also do duty in hostels.

Safety and security;

-Guards; Yes there are regular guards.

-CCTV cameras and examination of footage; CCTV cameras installed and coverage in verandahs and in hostels etc Principal monitors footage.

-Isolation policy: for hyperactive children to calm them down institution gives some punishment like not giving toffees.

Sanitation and hygiene ;

-Toilets: Boys and girls hostels; Boys hostel has 32 toilets and girls hostel has 12 toilets.

- Who washes clothes and linen of residents: Helpers.

-Who cleans toilets and how many sweepers; Children taught to use water after toileting and girls help in cleaning alongwith helpers to clean toilets.

-Menstrual hygiene: Institution maintains a register for menstrual periods of girls and accordingly pads are provided.

-Sports, leisure and outdoor activities: outdoor sheltered playground, basket ball, football, hockey. Students have gone to International sporting events. Indoor activities include chess and fully equipped gym is provided for children.

- Who provides clothing and how many sets; - Uniform provided by parents and to those who cannot afford institution provides.

- Personal clothing; Personal clothing is provided by parents who can afford.

-Tonsuring of hair: Regular haircuts given.

-Health; Paeditricion comes thrice weekly and is available on call. Institution has Gynaecologist in their own hospital within the campus , dental checkups given.

-Association with hospitals: They have their own hospital. Nurse in institution available round the clock.

Therapeutic interventions and rehabilitation;

-How many speech , physio ,occupational therapists; Those children who require speech therapy are given this therapy in the school for deaf children. Physiotherapy provided in Asha Niketan. Psychologists are available in crc and children sent their for tests.

-Nutrition. Any dietician/ nutritionist available; Dietician and nutritionists not available. Only moderately disabled are kept who do not have special dietary requirements. standard food.-Is there a standard menu and describe;-What about special diets for those who need.

-Kitchen staff/ cooks and helpers; one cook one assistant cook and one helper.

Education;

-special educators: Institution has 13 Special educators.

-Other teachers; Full time PTI and yoga teacher available.

-ADL training ; Provided by Special educators.

-Assessment of each child: Yes this is done.

-Curriculum followed; MDPS followed.

- Is Educational material, puzzles, toys, paints, paper and other material made available; Yes.

-Vocational training: What vocational programmes are carried out; No vocational activities and only pre vocational training for girls like stitching.

-Payments for vocational work done : NA.



-Grants: Salaries of all teaching staff, ten class four employees, one peon and one clerk cum typist provided by State Government.

26 children in hostels have freeships which is Rs 1000 per month only. All other expenses borne by institution.

Institution takes Rs 3000 per annum per child who can afford for providing hostel facilities. Day scholars pay rs 2000 for six months

Name of Institution: Shalom Special school for mentally handicapped (Day school)

Address: Bhopal

Person met: Sister Minimol Augustine Principal and Sister Annie.

Date of Visit: 27<sup>th</sup> Dec2019

General: Set up in 2005 with ten children by the Nirmal Mata Society and Assisi sisters of Mary immaculate.

-Standards and guidelines for institutions adhered to: Congregation have their guidelines.

-Registration: Registered under PWD Act

-Number of residents boys/ girls; This is a day school with 120 students of which 35 are girls. Age groups ranging from 5 to 18.

-Their disabilities; Most are mentally retarded. Some are Autistic children ( 4 ) , physically handicapped (2).

-Do all have disability certificates/ adhar cards; yes.

-Disability Pensions: Almost all are getting pension in their accounts. Rs 1200 ( Rs 600 disability pension and Rs 600 special pension for MR)

-Restoration: All from families so no restoration required.

Building facilities:

-School: 12 classrooms, two halls, one physio therapy room , one occupational therapy room.:

-Hostel accomodation facilities beds mattresses mosquito nets: No hostel facilities provided.

-Accessibility: All classes have ramps. Wheelchairs provided in school . about 2 are provided wheelchairs in school.

-Staffing for hostel: boys and girls; No hostel.

-How many caregivers and ratio for girls and boys; 3 caretakers in school.

-Other staff employed in hostel: Nil.

#### Safety and security:

-Guards; Day and night guards provided.

-CCTV cameras ; and examination of footage 39 cameras in all classrooms and outside.  
Monitoring of footage examined by principal.

-Isolation policy: occupational therapists takes care of hyper children.

-Inclusion policy: nil

#### Sanitation and hygiene ;

-Toilets: Boys and girls hostels; In school there are 15 toilets each for boys and girls.

- Who washes clothes and linen of residents: NA.

-Who cleans toilets and how many sweepers; 2 sweepers clean toilets.

-Menstrual hygiene: Day school.

-Sports, leisure and outdoor activities: Football, Basket Ball, Cricket etc. Indoor activities include carom, snake and ladders.

- Who provides clothing and how many sets: Parents provide clothing.

-Personal clothing.

-Tonsuring of hair. No tonsuring. Parents provide regular haircuts.

#### Health:

-Doctors on visit , dentists, gynaecologists etc; Sisters who are doctors attend to medical needs if required.

- association with hospitals; Day school and if required Sisters who are Doctors attend.

## Therapeutic interventions and rehabilitation:

-How many speech , physio ,occupational therapists; One speech, one occupational and one physiotherapist .

-Permanent or come on certain days and frequency: Are part time. Occupational three days weekly others five days.

-Nutrition: Institution does not provide food. Children get food from homes.

- Any dietician/ nutritionist available: NA.

-Is there a standard menu and describe;-What about special diets for those who need; NA.

-Kitchen staff/ cooks and helpers; NA

-Equipment in kitchen; NA

## Education;

-special educators;7 Special educators Plus principal who is also Special educator. School follows norms of One spl educator for every ten children.

-Other teachers; Computer teacher, dance teacher, Arts and crafts teacher.

-ADL training ; Given by Special educators.

-Assessment of each child: Done and IEP made for each child.

-Curriculum followed; Functional Assesment Checklist Programme prescribed by NIMH is followed.

- Is Educational material, puzzles, toys, paints, paper and other material made available; Yes

-Vocational training: What vocational programmes are carried out; No vocational programmes carried out.

-Payments for vocational work done : NA

-Grants: Rs 12 lakhs got from Grant in aid programme of Central Government only once. No support from state

Name of Institution: Shaskiya Drishti evam Shravan Badhita Uchatar Vidyalaya (Govt run)

Address: Bhopal

Person met: Mr Pramod Kumar Misra, Warden

Date of Visit: 27<sup>th</sup> Dec 2019

**-General: Established 1956 and school shifted to this building in 2014**

-Standards and guidelines for institutions adhered to: Govt guidelines.

-Registration: Registered under Disability law and Social Justice Dept.

-Number of residents boys/ girls; 221 students are blind and 181 are deaf children . Deaf Boys 144 and deaf girls 37. Blind boys 30 and girls 10. . mainly from Bhopal division.

-Their disabilities; Blind and deaf children.

-Do all have disability certificates/ adhar cards; yes and UDID process initiated.

-Restoration: all from families so no restoration required.

Building facilities;

-School: 13 rooms in school for blind and deaf students and one computer room.

-Hostel accomodation facilities; only for boys. Deaf and Blind children stay separately. Two dormitories for blind and for deaf five dormitories . each dorm houses 12 to 15 children.

-Beds mattresses; All provided. Everything supplied by Social Welfare department of MP Government.

-Accessibility: ramps provided.

-Staffing for hostel: boys and girls; Only boys hostel and there is one warden and two chowkidars. No other support staff in hostel. State needs to provide caregivers in the hostels.

-How many caregivers and ratio for girls and boys; nil.

-Other staff employed in hostel: Nil.

Safety and security;

-Guards; two guards.

-CCTV cameras ; and examination of footage; 8 CCTV cameras in hostel and classes. Footage reviewed by warden and Principal.

-Isolation policy: Nil.

-Inclusion policy: Nil.

Sanitation and hygiene ;

-Toilets: Boys and girls hostels; blind boys hostel has 3 bathrooms and for deaf boys there are 6 lat baths. This appears to be inadequate.

- Who washes clothes and linen of residents: Uniforms sent to Dhobi and personal clothes washed by students.

-Who cleans toilets and how many sweepers; 2 Sweepers clean toilets. One regular and one contractual.

-Menstrual hygiene: NA.

-Sports, leisure and outdoor activities: Badminton, Volley ball, cricket. Institution has a playground. Indoor activities include TV in hostels, ludo etc.

- Who provides clothing and how many sets: Two sets of uniforms supplied, sweaters, undergarments, towel etc provided by Department.

-Personal clothing: They bring from homes.

-Tonsuring of hair: Regular haircuts given.

Health:

-Doctors on visit , dentists, gynaecologists etc ; Medical camps organised regularly.

- association with hospitals: yes.

Therapeutic interventions and rehabilitation;

-How many speech , physio ,occupational therapists; Nil. There should be speech therapists for deaf children.

-Permanent or come on certain days and frequency: Nil.

- Any dietician/ nutritionist available: No. Food is contracted to contractor and this year the amount is rs 69 per child for all meals. This appears to be highly inadequate and quality of food is probably being compromised. State needs to look into this. On taking this up issue warden informed that quality of food ensured as teachers and warden eat same meals.

-Is there a standard menu and describe;-What about special diets for those who need; Standard meals provided.

-Kitchen staff/ cooks and helpers; Contractor prepares meals in hostel.

Education;

-special educators: Deaf school has 5 Special educators, blind school has two lecturers and two teachers. Teaching in sign language for deaf students.

-Curriculum followed; MP state board curriculum followed.

-Other teachers;

-ADL training ; Not required

-Assessment of each child: NA

-Vocational training: What vocational programmes are carried out; No vocational training programmes carried out.

-Payments for vocational work done : Nil.

-Grants: pension of Rs 600 deposited to each students account. All staff salaries are paid by Department. All expenses of running institution is met by State Government. Govt supports rs 5000 per child for ITI after they pass out



Name of Institution: SOS Children Village ( for children with disabilities)

Address: Khajuri Kalan, Bhopal

Persons met: Mr Das, Superintendent, Preeti Chauhan, Sr co worker education, Rahul Pathak  
Co worker accounts

Date of Visit: 26<sup>th</sup> Dec 2019

**-General: Registered under WCD and Social Justice Dept**

-Standards and guidelines for institutions adhered to: No guidelines prescribed by state. SOS village have their own guidelines.

-Registration: Registered in 2004. SOS is part of an international organisation and run several homes for children in need of care and protection. This is the only home they have in India for children with disabilities.

-Number of residents boys/ girls: 57 children are below 18 and 55 are above 18 years till 36 yrs. Girls are 60 and boys 52.

-Their disabilities; Mostly intellectually disabled . Others are multiple disabilities, Autism and only 2 are visually impaired.

- Disability pensions; Pension goes in personal accounts of children. .

-Do all have disability certificates/ adhar cards; Yes all have disability certificates and Adhar cards and UDID cards being applied for.

-Restoration: some abandoned children are restored through help from CWC. Three children restored last year.

**Building facilities;**

-School: 10 classes of which four are special classes, one physiotherapy class, one occupational therapy class, one vocational training class, one speech therapy unit, one hydro therapy and one music class.

-Hostel accomodation facilities; SOS follows a unique pattern of family homes for children and adults with disabilities with units housing about 7 to 8 children and looked after by a house mother and an aunty. Focus is given to provide a family setting with the house mother playing a maternal role and boys and girls living together as

brothers and sisters. SOS believes in the mother to play an active role in the family setting and only recruits mothers who can give a long time commitment and in lieu she is given a salary and social benefits with post retirement benefits. The village has 14 family homes and each home accommodates 7 children both boys and girls who are taken care of by a house mother and an aunty. Each home has two to three rooms accommodating about 2 to 3 children in each room. For boys above 14 years of age the village has youth homes. there are two youth homes in the village. Each home has a separate kitchen and the house mother and aunty cook the meals for the children.

-beds mattresses mosquito nets: all provided

-Accessibility: Ramps are provided , toilets have grab bars and are modified to accommodate wheelchairs.

-Staffing for hostel: boys and girls; House mothers and house aunts in each individual home and two co workers and one senior for monitoring in youth homes.

-How many caregivers and ratio for girls and boys; Each home has a house mother and an aunty. Youth homes have two co-workers and one senior person for monitoring.

-Other staff employed in hostel: Nil.

Safety and security;

-Guards; four guards are placed round the clock.

-CCTV cameras ; and examination of footage 18 CCTV cameras installed and footage monitored by Director.

-Isolation policy: no such policy.

-Inclusion policy: Only houses disabled children and youth and they intermingle.

Sanitation and hygiene :

-Toilets: Boys and girls hostels; Each home has 2 toilets. One Indian one Western. Each Youth home has three toilets and three bathing sections and for those who are not toilet trained there are potty pots.

- Who washes clothes and linen of residents: House mother and aunty wash clothes in each home and each home is provided with washing machine.

-Who cleans toilets: Homes toilets are cleaned by house mothers and aunty. Youth Units bathrroms are cleaned by sweepers.

-how many sweepers; one permanent sweeper and one part time labour.

-Menstrual hygiene: . House mother and aunty train girls on use of sanitary napkins alongwith Two nurses. Sanitary napkins bought from market.

-Sports, leisure and outdoor activities: football, cricket and for Indoor activities carom and chess is provided. There is one National coach who is also Special educator who is associated with Special Olympics Bharat trains students and several children have gone for International sporting events.

- Who provides clothing and how many sets: House mothers purchase clothes for children. Purchase Financed by SOS village. Winter clothing, normal clothing and uniforms are provided annually.

-Personal clothing: All provided by SOS village.

-Tonsuring of hair: No tonsuring and short haircuts provided.

Health;

-Doctors on visit , dentists, gynaecologists etc; Weekly visit of paediatrician. There are Two nurses permanently placed in the village. Village also has a Clinic in the premises. Dental Camps organised. Team of Doctors visit regularly. Ambulance available.

- association with hospitals: yes village is associated with two to three hospitals. AIIMS, Anantshree , Nagpur Neuro hospital and Rainbow hospital for children.

Therapeutic interventions and rehabilitation;

-How many speech , physio ,occupational therapists; Physiotherapy and Speech therapy is regular. Psychologist approached when required. Music therapy also provided.

-Permanent or come on certain days and frequency: No Permanent therapists. Only partime.

- Any dietician/ nutritionist available: Dietician visits and makes diet charts for those who need. Otherwise standard diet is given. Food made as per choice of children in homes.

-Is there a standard menu and describe;-What about special diets for those who need; Standard menu for food and as per choice of children. Dietician chart followed for those who need special diets.

-Kitchen staff/ cooks and helpers; In homes food is cooked by house mother and aunty. In youth hostel there are two cooks.

-Equipment in kitchen; Each home has fully equipped kitchens with gas etc.

#### Education;

-special educators: There are 4 Special educators and 4 Special educators are residential. Total there are 8 Special educators.

-Other teachers; Dance and yoga teachers.

-ADL training ; Provided by Special educators and house mothers.

-Assessment of each child: This is done by Special educators.

-Curriculum followed; MDPS followed.

- Is Educational material, puzzles, toys, paints, paper and other material made available; yes.

-Vocational training: What vocational programmes are carried out; Horticulture project which includes plucking, sorting, grading and packaging. Indoor vocational training like stitching, paper bag making, cloth bag making, diya candles.

-Payments for vocational work done : Motivational payment like special food and toffees is given.

-Grants: Land has been provided by State Government but no financial support provided from state. Supported by donations and grants from SOS international.

Around Rs 18,000 per child/ adult is cost per month as informed by Staff.

- Name of institution; Asra Vridh Ashram

-Person met: Shri Daya Ram Namdeo

-Date of visit: 27<sup>th</sup> dec

-Address; Bhopal.

-Registration details; Registered with the State Government.

-Number of residents, men and women; Home has 100 residents of which 45 are women residents. Ages of residents ranges from 60 to 95 years.

- Has the state government prescribed a scheme for the management of homes specifying standards and services to be provided including those required for medical care and entertainment of residents of these old age homes; Yes

- Do all residents have Adhar cards; Yes

-Old age pension: Some residents receive old age pensions and new residents do not have pensions . Mr Dayaram the caretaker, does not encourage pensions as residents get tobacco and liquor inside the old age home which spoils the environment of the old age home.etc

-Is separate accommodation provided for men and women; Separate accommodation provided for men and women. Two blocks for men and women and another block for the sick. Each block has dormitories and rooms. Dormitory accommodates 10 to 12 persons.

Building provided by State Government. Halls made by donations.

-Are separate washrooms provided to men and women; How many: Yes there are adequate toilets in the mens and womens section. Women section has 8 toilets and for men section there are 8 toilets. Grab bars provided in toilets.

- Are wheelchair, aids and appliances provided to residents; Yes. These have been donated .

- Are books, newspaper and television provided; yes.
- What recreational facilities are provided; TV, playing cards, carom. One hall which can accommodate 200 persons is used for recreation. There is a Prayer bhawan which is separate .
- Are telephone services provided; yes
- Are there ramps with railings provided; Yes though accessibility can be improved.
- Do a dietician/ nutritionist visit regularly; No but regular meals are provided. On date of visit an associate of the old age home provided free and good quality food to residents.
  - Is balanced and nutritious food provided and specially for those who need special diets; Indian food provided. For those who need special diets 'Khrichri' is provided.
  - What medical facilities are provided; The old age home has permanent Doctor , one nurse, one physiotherapist. Doctor visits four days a week.
- Are adequate number of clothes for every senior citizen residing in old age homes provided; The old age home provides clothes Dhobi washes clothes.
- Do residents have space for keeping personal belongings; Yes. Lockers and boxes provided.
- How is sanitation and cleanliness maintained: Sweepers clean toilets.
- How many caregivers and are they trained regularly; 18 caregivers of which 13 are women and 4 men.
- Are Fans and coolers clean drinking water facilities provided; Yes.
- Do rooms have adequate ventilation and do windows have shades; Yes rooms are well ventilated. Windows could do with shades.
- Are there Prayer halls for those who need to pray and meditate; Yes there is a big prayer hall.
- How is conflict resolution done: Managed by staff.
- Grants; All staff paid by State Government. For fooding rs 1000 per month per resident is given by the State . Medicines provided from government.

## REPORT OF MEETING WITH GOVERNMENT OFFICIALS IN Bhopal (MP)

The following State Government officials were met during the visit to Bhopal ;

- Mr Krishna Gopal Tewari, IAS, Director, Social Justice and Disabled Persons Welfare.
- Mr K N Singh Jt Director and DSWO Bhopal.
- Mr Manoj Tewari, Office of Social Justice and Disabled Persons Welfare.
- Mr Arun Joshi, Office of Social Justice and Disabled Persons Welfare.
- Mr Khan, Incharge pensions, Office of Social Justice and Disabled Persons Welfare.
- Mr Brijesh Tripathy, Dept of Women and Child Dept.

### Briefing by Dept of Social Justice Dept:

The Director, Social Justice and Disabled Persons Welfare informed that the State of Madhya Pradesh distributes Rs 279 crores per month as pension for persons with disabilities, widows and old aged persons. Four lakhs persons with disabilities are getting disability pension of Rs 600 per month and of these 74000 persons with multiple and intellectual disabilities are getting additional pension of Rs 600 per month

There are 20 government run and 38 NGO run Residential schools for intellectual disabilities which are aided by State Government. 324 day care and residential institutions are registered in the state out of which 77 institutions have been de recognised and these are not aided by government. State also informed that the process of identifying institutions which do not meet norms is presently on.

State also supports residential schools for blind and deaf

State Support to institutions includes Salaries of staff, fooding for residents , clothes and medicines. For cost of fooding State provides Rs 1000 per child of which Rs 100 is deposited into account of the child.

Reports of visits to each of these homes is attached.

### REVIEW OF SUPREME COURT JUDGEMENTS:

#### Reena Banerjee vs NCT of Delhi:

- State has not followed directions of Supreme Court judgment in Reena Banerjee vs NCT of Delhi in CIVIL APPEAL NO.11938/2016 (Arising out of S.L.P.(Civil) No.39321/2012) dated December 08, 2016.

- State needs to monitor, evaluate and suggest remedial measures in residential institutions for intellectually impaired. Programmes related to health, hygiene, nutrition, safety and security, education, therapeutic interventions etc are to be monitored and remedial measures introduced.

#### Pankaj Sinha vs UOI:

- State informed that Beggars act has been amended to remove leprosy related provisions.
- State also informed that there are 3 Leprosy colonies (Bhopal, Jhabua and Indore) which are financially supported and have 108 families staying and each family gets rs 5000 plus rs 600 pension per month. Land given in Bhopal but other two colonies have not been regularised.

#### Rajive Raturi vs UOI:

- Against target of making 20-50 important State government buildings in 50 cities fully accessible by December 2017: State informed that auditing of buildings has been done and proposal sent to GOI. 50 proposals have been sent to GOI and funds received for retrofitting 12 buildings in Bhopal and 2 buildings in Indore.
- Work in progress to retrofit 7 buildings in Indore and 24 buildings in Bhopal.
- Against target of Completing accessibility audit of 50% of govt. buildings and making them fully accessible in 10 most important cities/towns of states/UTs not covered in targets (i) and (ii) by December 2019; State has identified the 10 cities as Jabalpur, Gwalior, Ujjain, Sagar, Devas, Satna, Ratlam, Rewa, Moravar (kucchi), and Singrauli. Auditing request sent to GOI and awaiting response from GOI. State is way behind in achieving this target.
- No budgetary provisions have been made to retrofit buildings and State informed that financial priorities are different. State was informed that this could be taken up under the maintenance budgetary provisions of the PWD Department if this was possible and state informed that they would do this.
- Target of providing accessibility in public and private transport buses: State informed that there were 56872 private buses and there was no Government owned transport system in the state. Of these 4370 private buses made accessible and work is in progress for 14879 buses. State informed that renewal of permits of Private transporters is being given after accessibility is provided in buses. Private bus transporters provide Bus concession of fifty percent to all disabilities and is given in long distance buses as well.
- target to make websites accessible ; State informed that there were a total of 40 websites and 34 have been made accessible. Total number of websites appears to be low.
- Target of making all public documents accessible: State informed that Education Dept has started making documents accessible but other Departments are yet to do this. State needs to work on a plan to provide accessibility to all documents available in public domain.



- target of training Sign language interpreters: State informed that there were SLI's in all schools and ITI's . State needs to work on this.

**Status of implementation of Rights of Persons with Disabilities Act 2016:**

- **Rules** have been notified; **Advisory Board** has been set up; District level committees made in 52 districts and All District level Dept heads are members and committee is chaired by DC. Disabled persons are members alongwith NGO 's; Certification of new disabilities is being done and towards this training of Civil Surgeons and Specialists has been done by Department; Trust fund of Rs 25 crores made; Nodal officer appointed for Education in each district; 6% notification in public employment issued; Expert Committees for job identification **notified**;
- State has not as yet designated Special Court; **Public Prosecutors not yet appointed**; Section 37 of the RPWD Act on 5% reservation in allotment of land and other developmental schemes not yet notified; Section 7 Notification for Executive Magistrates informing them of their role in protecting persons with disabilities against ill treatment, violence and abuse not yet issued; Section 24 on Quantum of assistance in the poverty alleviation schemes to be increased by 25% for people with disabilities not yet notified; Section 38 on Assessment Board for certifying High Support not yet constituted; Sec 15 for Authorities to be notified for mobilising community for providing support to exercise legal capacity not yet made.
- **State Commissioner Disabilities Mr Sandip was not available but a telephonic conversation was had with him.**
- State Commissioner Disabilities is yet to implement Section 79 subsection 7 on constitution of Advisory Committee comprising of not more than five members drawn from the experts in the disability sector.
- GROs in all Departments have not been notified.

- Equal opportunity policies have not been notified with State Commissioner Disabilities;

**Recommendations to Directorate Social Justice and Disabled Persons Welfare, State Commissioner Disabilities and Women and Child Department of Govt of Madhya Pradesh.**

These recommendations are based on discussions with Department officials and visits to 1 home for elderly persons, one leprosy colony and 6 residential and day schools for children with Intellectual disabilities, deaf and blind children. 3 of the residential institutions for children with intellectual disabilities, deaf and blind children were run by the Church, 2 were run by the State Government whilst 1 institution was run by an International NGO (SOS international).

**State Commissioner Disabilities was on tour and a telephonic conversation was had with him.**

- State needs to follow directions of Supreme Court judgment in Reena Banerjee vs NCT of Delhi in CIVIL APPEAL NO.11938/2016 (Arising out of S.L.P.(Civil) No.39321/2012) dated December 08, 2016.
  - State needs to monitor, evaluate and suggest remedial measures in residential institutions for intellectually impaired, blind and deaf children. Programmes related to health, hygiene, nutrition, safety and security, education, therapeutic interventions etc. are to be monitored and remedial measures introduced.
  - In particular Seva Dham in Ujjain needs to be monitored and evaluated as this institution houses a huge number of adults with intellectual disability amongst other disabilities and is being run by an Ashram without any regular support from the Government as was informed by Department.
  - Caregivers were found lacking in residential institutions. Government run home for intellectually impaired (Shashikiya Mansik Roop Sey Avikshit Balak Balika Avasiys Vidyalaya ) had no caregivers in boys hostel and only part time staff was made available in the hostel.
  - There was a general lack of health facilities, Institutions need to empanel specialist Doctors and regular gynaecological and dental checkups need to be carried out. Church run institutions had better health facilities.
  - Institutions need to have diet plans drawn up by dieticians and nutritionists especially for those children who require special diets. No institution had nutritionists visiting.
  - Emphasis needs to be given towards imparting vocational training to children.
- 
- State is considering setting up smaller institutions in 4 locations for abandoned and destitute adults with intellectual disabilities. State could consider implementing the model adopted by State Institute for Research Training and Rehabilitation (SIRTAR) set up by Government of Haryana in Rohtak. Alternatively the SOS model for care and rehabilitation of children and adults with intellectual disabilities in Khajuri Kalan in Bhopal too could be visited as this is undoubtedly

an excellent institution which follows the model of family homes for children and adults with intellectual disabilities

- Old age home reported that some residents bring liquor and tobacco from outside. Guards need to check residents thoroughly when they come from outside to prevent this.
- State should consider regularising two leprosy colonies in Jhabua and Indore to ensure right to shelter of residents in line with operative part of judgment made by Supreme Court in Reena Banerjee vs NCT of Delhi.
- Child in Need of Care and Protection homes under the JJBA Act also appear to have children with disabilities sent there by CWC's. Department of Women and Child need to monitor all such homes in the state and introduce special rehabilitation measures for such children by providing Special educators and therapeutic rehabilitation services to enable these children face the world once they leave these homes on completion of 18 years of age.
- All orphaned and destitute children with intellectual disabilities are credited with Rs 1200 per month in their bank accounts as disability pension and special pension for intellectual and multiple disabilities. As this amount is not likely to be used by the child in his lifetime state could consider using this amount to provide additional facilities to the child within the institution.
- Children with intellectual disabilities from families also get the above mentioned entitlement and the amount is collected by parents who look at the child as a means of revenue. State could consider either providing better facilities in residential homes or alternatively putting this amount in a FD for the child to be given to parents for child's upkeep when child leaves residential school on attaining age of 18 years.
- Targets under Accessible India campaign as directed in Rajive Raturi vs UOI matter by Supreme Court of India have not been met in most areas of building accessibility, transport accessibility, accessible documentation and training of sign language interpreters etc. This needs to be prioritised by the State and budgetary provisions need to be made for implementing same. Under the Rights of Persons with Disabilities Act of 2016
- State needs to designate Special Court; **Public Prosecutors to be appointed**; Section 37 of the RPWD Act on 5% reservation in allotment of land and other developmental schemes to be notified; Section 7 Notification for Executive Magistrates informing them of their role in protecting persons with disabilities against ill treatment, violence and abuse to be issued; Section 24 on Quantum of assistance in the poverty alleviation schemes to be increased by 25% for people with disabilities to be notified; Section 38 on Assessment Board for certifying High Support to be constituted; Sec 15 for Authorities to be notified for mobilising community for providing support to exercise legal capacity to be made.
- State Commissioner Disabilities needs to implement Section 79 subsection 7 on constitution of Advisory Committee comprising of not more than five members drawn from the experts in the disability sector ; GROs in all Departments need to be notified

and Equal opportunity policies by all establishments should be notified with State  
Commissioner Disabilities;