

Status report

On the implementation of the PWD Act in the state of Madhya Pradesh

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Acknowledgement

I owe a very special debt of gratitude to the Hon'ble Chairperson, Hon'ble Members, and all the officials and colleagues of the NHRC for allowing and facilitating this important review exercise carried out to identify gaps in the implementation of the Persons with Disabilities (Equal Opportunities, Protection of Rights, and Full Participation) Act, 1995 in the state of Madhya Pradesh.

My sincere thanks are also due to the Govt. of Madhya Pradesh in general, and to the Commissioner (persons with disabilities) and his office, and also to the Commissioner, Govt. of Madhya Pradesh, Dept. of Social Justice and empowerment and his office in particular for their cooperation and support throughout the review process and also for making my stay comfortable.

I would also like to place on record my warm and sincere appreciation for the members of the coordination committee including the non-official members and persons with disabilities for their active participation and valuable input.

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Note: *A folder containing some papers handed over to me by the Govt. of MP is being submitted with the hard copy of this report. They include, among other things, Govt. response to the NHRC format, etc..*

Structure

This status report comprises three parts.

Part I mentions the objectives, describes the methodology, alludes to the constraints/limitations and sets the context.

Part II deals with the enforcement mechanisms, particularly, in the context of their functioning, efficiency and effectiveness and seeks to make recommendations at appropriate places.

Part III seeks to briefly treat the various thematic areas with reference to their implementation status and gaps in implementation, and seeks to make some recommendations in relation to each thematic area.

The report concludes with some concluding observations.

Preface

It goes without saying that this status report is the outcome of a visit undertaken by me to Bhopal at the behest of the National Human Rights Commission (NHRC) from 28th November, 2010 to 1st December, 2010 with a view to identifying gaps in the implementation of the Persons with Disabilities (equal opportunities, Protection of Rights, and Full Participation) Act, 1995 hereinafter called the PWD Act simply the Act for reasons of brevity. The actual review exercise was carried out on the 29th and the 30th of November, 2010.

Part I - Introductory

1.1: Objective

This review exercise was carried out with the objective of identifying gaps in the implementation of the existing PWD Act in the state of Madhya Pradesh primarily by engaging with the Commissioner (persons with disabilities), and additionally, by interacting with the persons with disabilities/primary stakeholders themselves, members of the coordination committee (both official and non-official), and officials of the Dept. social Justice and Empowerment, Govt. of Madhya Pradesh in order to make necessary and appropriate recommendations to expedite and ensure full, effective, and efficient implementation of the Act, among other things, by bringing about appropriate systemic and other necessary changes.

1.2: Methodology:

The following methodology which is in-built into the above objective itself was followed for the purpose of this review:

- Interactive dialogue with the Commissioner (persons with disabilities) and his office;
- Interactions with the commissioner and other officials of the Dept. of Social Justice and Empowerment, Govt. of Madhya Pradesh;
- Interactions with some members of the Coordination committee constituted under the relevant provisions of the Act; and, also with persons with disabilities and representatives of various NGOs and INGOs;
- Visits to a couple of disability specific institutions or special schools, as they are often called;
- Perusal of the MP Govt.'s response to a questionnaire as per the requested format.

(I noted with particular concern the fact that many official members of the coordination committee from departments other than the Dept. of Social Justice and Empowerment deputed subordinate officials for the meeting. It was pointed out to me that this was the common practice there. Besides, some members of the coordination committee from some very important departments like education and labour and employment were conspicuous by their absence. At a much later stage during the course of the meeting however, the Commissioner (persons with disabilities) could somehow manage to call a very junior officer from the Education Department, namely, the state coordinator who looks after the education of children with disabilities. This only marginally served to salvage the situation for the Dept. of Social Justice and Empowerment and also for Commissioner (persons with disabilities) himself).

1.3: Constraints/limitations:

Since it was only a two-day exercise, I could interact only with a very limited range of stakeholders with absolutely no time slotted for field visits to the various districts; and, understandably, therefore, this exercise had its own constraints/limitations. This also explains why the observations and recommendations contained in this brief report are

only illustrative, and not exhaustive. Nevertheless, the exercise has been of immense value as it gave some broad insights into the status of implementation of the said Act.

1.4: Context:

The enactment of the existing PWD Act by the Indian Parliament marked the explicit induction and institutionalization of the disability rights regime into the Indian legal system. Quite understandably, this piece of legislation which contains a number of positive provisions in respect of various thematic areas generated great deal of enthusiasm and raised hopes amongst persons with disabilities, and also amongst those working with persons with disabilities. However, as time rolled by, the realization that the said Act had umpteen inadequacies and that it lacked teeth also dawned on the stakeholders. Disillusionment amongst persons with disabilities with the inefficient, ineffective and half-hearted manner in which the said Act was being implemented manifested itself, amongst other things, in the number of court cases getting piled up in various courts of the country. Thanks, however, to the Indian judiciary for its progressive and forward-looking interpretations of the various provisions of the Act which resulted in the building up of positive jurisprudence on disability rights.

Ever since this Act came into force, there have been attempts to amend the legislation; but somehow, such efforts did not fructify.

In the meantime, however, India has both signed and ratified an international treaty, namely, the UN Convention on the Rights of Persons with Disabilities (UNCRPD) with the result that under the international norms India is now obliged to harmonize all its domestic laws and policies with the said Convention.

Thus, pursuant to the above international obligation, the Ministry of SJE, Govt. of India has set up a Committee comprising both official and non-official members to develop a draft of a new law to replace the existing PWD Act. Although the said Committee has started its work, it will be quite a while before the proposed new law actually gets enacted and comes into force. Evidently, the proposed new law will be way more progressive than the existing PWD Act.

Be that as it may, it is important to ensure expeditious implementation of the many positive provisions of the existing Act, also consolidating on the gains from the sound and solid jurisprudence which now stands built over the years. It is also important that the state machinery gears up to accept and implement a more progressive and forward-looking legislation which is round the corner --- hence, the value of a review exercise of this ilk.

It is common knowledge that Madhya Pradesh is amongst the largest of Indian states both in terms of its geographical spread and population having fifty districts. During my interactive dialogue with the concerned officials, I was told that the population of persons with disabilities in the undivided Madhya Pradesh stood at around fourteen lakhs although it got reduced substantially following the carving out and formation of Chhatis Garh. Thus, referring to a certain survey, the officials further told me that the figure of disabled population of the current Madhya Pradesh stands somewhere around seven lakhs. In any case, one is acutely aware of the fact that such figures including the census figures do not seem closer to the truth on account of a multiplicity of reasons which I will not touch upon in this report as it does not at least directly form part of the subject matter of the review.

The existence of a state level policy on disability (which was formulated way back in 1997, and which needs revision/updation), provision of higher percentage of reservation in jobs than the percentage mandated by the Act, and some policy concessions here and there, are amongst some positive aspects which the Govt. of Madhya Pradesh can perhaps show-case with some semblance of satisfaction.

Unlike its neighbouring state, namely, Uttar Pradesh, the state of Madhya Pradesh does not have a separate and dedicated ministry/department to deal with disability related matters. Hence, such matters fall within the purview of the Dept. of Social Justice and Empowerment.

This review exercise was conducted against the aforesaid broad backdrop. Among other things, the Govt. of Madhya Pradesh was requested to furnish information as per a format developed by NHRC. I am afraid the response to the format/questionnaire, at least in places, was inadequate, incomplete, cryptic, and even evasive.

This review exercise was preceded by a brief interaction with the Incumbent Commissioner to the Govt. of Madhya Pradesh, Dept. Social Justice and Empowerment although he was not available during the exercise, or for that matter, on the conclusion of the exercise as he had to leave on an official tour to Ujjain. However, other departmental officials, and the Commissioner (persons with disabilities) were available throughout.

Part II - Enforcement mechanisms --- their functioning and effectiveness

More often than not, poor implementation of the PWD Act across the country is attributable, among other reasons, to utter inefficiency and ineffectiveness of the various enforcement mechanisms and their lethargic and disorganized functioning. This squarely calls for a closer and meticulous scrutiny and review of these mechanisms.

The existing PWD Act provides for a three-fold enforcement and monitoring mechanism at the state level, namely, Commissioner (persons with disabilities) (CD or simply CPD), State coordination Committee(SCC), and the State Executive Committee (Sec). Apart of these three statutory mechanisms created under the said Act, the Dept. of Social Justice and Empowerment (SJE), Govt. of Madhya Pradesh implements certain schemes for persons with disabilities, and is also expected to play the nodal Department in terms of coordinating disability related activities with other concerned departments since many other departments have a very important and critical role to play under the said Act.

2.1: Commissioner (persons with disabilities):

Section 60 of the Act mandates appointment of a Commissioner (persons with disabilities) in every state. The primary functions of the Commissioner are around coordination and monitoring, redressal of complaints, especially, those relating to deprivation of rights suffered by persons with disabilities, capacity building, awareness-raising and sensitization, preparation and submission of annual reports, ETC.

Office of the Commissioner as stated above was set up in Madhya Pradesh in May, 1997, i.e., nearly one-and-a-half year after the Act came into force. Since then, in the last thirteen plus years, almost half the time, this position/post was held by serving bureaucrat as additional charge. Non-official incumbents have held this office for the remainder of this period. In all fairness to the Govt. of Madhya Pradesh, it must be acknowledged that at one point in time, a blind non-official incumbent had held this position. This, by far, is demonstrative of the Govt's openness to appoint suitably qualified and deserving incumbent from amongst the primary stakeholders.

The present incumbent to the post happens to be a non-official incumbent; and, he has been in office for three years plus now. During my interactive parleys with him, I got to know that it has been during his tenure that some mobile courts were organized for the first time ever in the state. However, the number of cases which the office of the Commissioner claims to have disposed of during the mobile courts prima facie appears incredible. Mobile courts, I guess, are usually of a day's duration. How then, on earth, can one dispose of nearly three thousand cases both during the year 2008-9, and during the year 2009-10. Is it humanly possible even if it involves disposal of petty grievances? Nevertheless, the incumbent Commissioner must be credited for launching this initiative which, in fact, fell significantly overdue.

Coordination and monitoring:

The Commissioner (persons with disabilities) is under an obligation to coordinate disability related work amongst various departments vide Section 61 of the Act. He is

also under an obligation to monitor utilization of funds disbursed to various departments for disability related work. It is indeed a pity that there exist no mechanism, let alone a regular, solid, comprehensive and credible mechanism for the purpose of coordination and monitoring. The Mp Govt's response to question No. 8 of the NHRC format conceals more than it reveals. It seeks to put the blame squarely on the departments which is all right; but it does not spell out what procedure the office of the CPD follows in respect of coordination and monitoring. Strangely, there were initially two versions of the Mp Govt's response to the NHRC format, one prepared by the Commissioner (persons with disabilities), and the other prepared by the SJE Dept. Evidently, this created confusion because the responses did not necessarily match. Therefore, I advised them to develop a joint response which is authentic. I am thankful that they complied with this piece of advice and submitted to me one jointly prepared response on the night of the 30th of November, and I was to leave for Delhi the following morning. Therefore there was no time left for further clarification on that jointly prepared response which I finally brought with me and which forms part of this report. Such is the lack of coordination even between the departments/offices of SJE and the CPD.

In view of the above, I hammered home the need for a regular, ongoing, comprehensive and credible coordination and monitoring mechanism within each concerned department at various levels, and also between the CPD and all other concerned departments with proper accountability framework. This may include but may not be limited to designation of focal persons on disability by each concerned department at various levels with prescribed reporting formats, compulsory submission by each concerned department progress report in prescribed format at specified periods to the CPD, development of a comprehensive, department-wise data-base also by CPD, surprise field visits by Commissioner to ascertain, among other things, whether the benefits of various schemes is actually reaching the targeted persons with disabilities, regular/periodic meetings with departmental heads and state level departmental focal persons on disability with the CPD, ETC.

Complaints relating to deprivation of rights:

Another very important function of the CPD is to take cognizance of complaints of deprivation of rights suffered by persons with disabilities. This power/function is vested in him/her vide Section 62 of the Act. complaints with the Commissioner can be lodged either by the aggrieved person with disability herself/himself, or by someone else on her/his behalf; or, alternatively, The commissioner can also take suo moto action when she/he comes to know of any rights violation case.

The usual practice followed by the CPD in the state of Madhya Pradesh is either to seek redressal of a grievance through negotiation with the concerned authority; or, alternatively, to register the same as a formal complaint and dispose of the matter accordingly following a due process of hearing all concerned parties, ETC.

An analysis of the Mp Govt's response to the relevant questions in the NHRC format together with my interactions with the CPD and others reveal that the number of complaints received during the last two years is 238 and 202 respectively; and, the number of complaints disposed during the corresponding period is 80 and 76 respectively. My verbal interactions give me reasons to believe that most of the

complaints received and disposed of have been in the nature of petty grievances and have perhaps not been formally registered as cases. To my mind, the number of complaints formally registered as cases is perhaps abysmally low. Lack of awareness amongst stakeholders is one amongst the reasons which account for such less number of registered complaints.

Although the Mp Govt. has given some sort of response regarding a question on suo moto complaints, I am convinced that there is little or near nil proactivism in this regard. Such proactivism on CPD's part is indispensable given the utter state of disempowerment and disarticulation in which a sizeable chunk of persons with disabilities live.

Annual reports:

Section 65 (1) of the Act requires the Commissioner to prepare and submit an annual report giving details of her/his activities during the previous year together with her/his recommendations. Subsection (2) of Section 65 of the Act makes it obligatory for the concerned state Govt. to place the Commissioner's report on the table of the concerned state legislature together with the Govt's action taken report or a report on action proposed to be taken. In case, the concerned Govt. is unable to accept any recommendations made by the Commissioner, it needs to specify reasons for its inability to accept such recommendations.

As per information received from concerned officials, while the commissioner does prepare and submit her/his annual report to the Govt. as mandated by Section 65 (1), and while such report is also tabled before the state legislature, no action taken report or report on action proposed to be taken has ever been laid on the table of the state legislature as mandated by Section 65 (2) of the Act. This tantamounts to a continuous non-compliance of the relevant provision of the Act.

Capacity building:

The Commissioner for persons with disabilities is expected to undertake capacity building measures for primary stakeholders and also for stakeholders of strategic importance on a planned and regular basis. He/she is also supposed to undertake awareness-raising and sensitization exercises for the general public and also orientation of all concerned to disability rights. I am afraid this is not happening barring some stray workshop or seminar here and there. The commissioner complained of paucity of funds for this purpose.

Constraints/hindering factors:

When asked to identify constraints and hindering factors, the Commissioner cited acute budgetary/resource constraints, lack of technical staff, inadequate person-power; inadequate infrastructure. These constraints do need to be appropriately addressed.

The commissioner also emphasized on the urgency of ensuring greater autonomy in functioning of his office as well as in administering his office. He informed that the Commissioner does not even have the drawing and disbursement power which impedes the functioning of his office, enhances his dependence on the SJE Dept., and also results in under-utilization even of the scarce resources available. He further narrated how small matters like his TA bills get stranded in the SJE Dept. and do not get cleared for long

which adversely impacts his work. He also complained that his driver, the present incumbent, is an ailing person and as such he can not undertake out-station travels.

Best practices:

The CPD, and the officials of the SJE Dept. were at pains when asked to identify examples of some best practices although they listed out a few examples and annexed them to their response to the NHRC questionnaire. To my mind, however, those do not necessarily constitute examples of best practices.

Be that as it may, I proactively tried to identify some such examples, and to that end, also consulted some non-official individuals including some persons with disabilities and could hit upon two examples.

Firstly, the openness of the Mp Govt to appoint a suitably qualified and competent person with disability as commissioner deserves categorization as a best practice for the simple reason that among other things, such a person also brings with herself/himself experiential expertise having lived with a disability.

Secondly, the very fact that each of the textbooks from class one to class eight contains a one-pager on useful information on different dimensions of disability is, by all manner of means, another example of best practice as it is intended to ensure a disability sensitive and disability-aware future generations. The foresightedness of such a move is laudable.

Recommendations:

1. Ensure that the incumbent Commissioner (persons with disabilities) is always a full-time Commissioner with independent charge. A non-official incumbent of impeccable integrity having direct knowledge and practical experience of working in the field of rights of persons with disabilities should be preferred.
2. Put in place credible and comprehensive coordination and monitoring mechanisms and tools which may include, among other things, periodic meetings with the Commissioner (persons with disabilities) of each concerned department; submission by each concerned department of periodic returns as per department specific format to be prescribed by the Commissioner (persons with disabilities); developing by each concerned department of a data base relating to its work on disability under the provisions of the existing Act; designation by each concerned department of a focal person/authority on disability. Surprise field visits; ETC.
3. Demonstrate visible and vigorous pro-activism in the matter of taking suo moto action in respect of violation of any provision of the Act, or for that matter, in respect of deprivation of rights suffered by any person with disability; also raise awareness on a massive scale about the provisions of the Act including about a disabled person's right to lodge a complaint with the commissioner.
4. Ensure compliance with the provisions of Section 65 (2) of the Act on a regular basis by tabling before the state legislature the CPD's annual report together with action taken report or report on action proposed to be taken as stipulated. 5.

Ensure adequate resources, both human and financial with proper infrastructural support for the office of the CPD. Grant the drawing disbursement power to the CPD. Also ensure functional autonomy to him.

5. CPD must undertake, on a regular basis, capacity building measures for educating persons with disabilities and other stakeholders of strategic importance including members of the bureaucracy and media persons on rights of persons with disabilities.
6. CPD must proactively initiate efforts to ensure that rights of persons with disabilities get inducted into all aspects of public policy

2.2: State Coordination and State Executive Committees:

The state Govt. has constituted a State Coordination committee under Subsection (1) of Section 13, and a State Executive Committee under Subsection (1) of Section 19 respectively.

While the state coordination committee (SCC) under the relevant provisions of the Act is to serve as a focal point on disability and also to facilitate continuous evolution of comprehensive policy on disability, the State Executive Committee (SEC) is to implement the decisions of the SCC.

Section 17 of the Act mandates that the SCC must meet at least once in six months, whereas, Section 21 mandates that the SEC must meet at least once in three months.

It is indeed most unfortunate that these two important committees do not meet at regular intervals as mandated under the relevant provisions of the Act. Besides, many official members from various departments often depute their subordinates for such meetings thereby signaling that they treat this as a low priority matter. The records of the last two meetings of the Executive Committee made available to me show that the first of these meetings were held in the year 2004 and the next and so far the last was held in the current year. This is the fate of a Committee which is mandated by law to meet every three months. This speaks volumes for the casual manner in which disability related matters are treated. Interestingly, the Commissioner (persons with disabilities) told me that another meeting of the Executive Committee was held in 2007; but the officials of the SJE were unable to trace out the minutes of the said meeting and hence, could not make the same available to me.

Evidently, the coordination Committee also does not meet on time to transact its business albeit compared to the past, this Committee, I am told has been meeting once a year (should meet at least twice a year under the relevant provisions of the law). This is considered an improvement compared with the earlier days when the SCC would meet only rarely.

One of the important functions of the SCC is to facilitate continuous evolution of comprehensive policy on disability. The MP Govt. claims that it has a policy on disability in place since 1997; and, accordingly, they have annexed a document with their response to the NHRC to substantiate this claim. However, I feel it is not a policy in the real sense of the word. It is rather much like a plan of action. Even assuming that it is a policy, it definitely needs to be revisited and revised comprehensively and substantively.

Here, let us not lose sight of the fact that the statutory functions entrusted to these committees are highly critical to the cause of furtherance of rights of persons with disabilities.

Recommendations:

1. 1. Ensure that the SCC and the SEC meet regularly as mandated by the Act to transact their statutory functions and responsibilities. Also ensure that the official members of these committees attend the meetings themselves rather than deputing their subordinate officials for this purpose as a matter of practice. Accountability should be fixed in relation to any lapse in holding such meetings regularly, and also in relation to failure to attend such meetings.
2. Put in place a progressive and forward-looking policy on disability which is also in line with the UN Convention on the Rights of Persons with Disabilities (UNCRPD) which has since been both signed and ratified by India.

2.3: Department of Social Justice and Empowerment:

Unlike Uttar Pradesh, the state of Madhya Pradesh does not have a dedicated department/ministry to deal with disability related matters. My interactions with the departmental officials left me convinced that they do not have much knowledge on disability, or for that matter, on rights of persons with disabilities. They are not even fully aware of the various disability related legislations in the country. Their approach to disability related matters is very casual and non-serious. This must change. Their capacities need to be built, and built on a massive scale.

The Dept. of SJE must develop well-conceived plan and schemes for persons with disabilities and must streamline the existing schemes.

Recommendations:

1. Build capacities of the officials and functionaries of the Dept. of SJE on a regular ongoing basis on policies and legislations relating to persons with disabilities. Such capacity building measures should also cover district and block level officers.
2. Enhance budgetary allocations substantially, and also enhance trained person power.
3. Create a dedicated department/ministry for persons with disabilities; and, and till such department/ministry is created, strengthen the existing disability cell for the interim period.

Part III -Thematic areas --- Their implementation status:

3.1: Education:

Education prepares one for life as it brings empowerment which, among other things, also makes one employable. Hence, the importance of right to education can not be over-emphasized as it is fundamental to a life of dignity.

Chapter V of the Act (Sections 26 --- to 31) seeks to make provisions for education of children/persons with disabilities and covers various dimensions of education and related matters. Section 39, which perhaps inadvertently forms part of the Chapter on Employment talks about reservation of at least three percent of seats for persons with disabilities for admission to Govt. and Govt. aided educational institutions; but to what extent this provision is getting translated into reality is a matter of investigation.

Section 26 (a) provides for free education to a child with disability in an appropriate environment till she/he attains the age of 18 years. Clause (b) of the said Section enjoins it on the appropriate Govt. and local authorities to endeavour to promote integration of such children into the so-called mainstream schools.

My parleys with the concerned officials and other stakeholders revealed that while compared to some neighbouring states, the implementation of the Sarva Shiksha Abhiyan has perhaps been less chaotic, there is a long way to go and the road is bumpy. Govt. figures say that a little over 97 thousand children with disabilities are currently studying in mainstream schools from class one to class eight and over 20 thousand are studying in mainstream schools from class nine to class twelve. However, civil society stakeholders told me that the scenario is not at all as rosy. On the contrary, the environment in which the children are studying is not at all conducive, inclusive and accessible. In some places, for example, some Braille books are available; but ironically, neither the teachers nor the children with visual disabilities know Braille. So, of what use the Braille books? Children with intellectual and developmental disabilities are almost altogether excluded from mainstream schools. The special educators available are those who are trained in handling children belonging to only one given category of disability with the result that children belonging to some other category of disabilities in any given area are deprived as the special educator can not help them much. For example, if the special educator of an area has expertise with regard to blind children, other children of that area with other categories of disabilities will not benefit. It is a happy augury that the Govt. is somewhat alive to it so that there is an attempt to train available special educators in multi-category disciplines. However, this approach may not be as effective. It would therefore, be necessary to appoint special educators for various categories in the same area; or alternatively, some other viable way has to be discovered innovatively.

While some effort is being made to make the new school buildings at least architecturally barrier-free, the existing school buildings also need to be made accessible. Unfortunately, the understanding of accessibility amongst most of the functionaries is limited only to putting up a ramp here and there. Accessibility has much wider and umpteen connotations. Likewise, the understanding of inclusion is also very poor. Inclusion has to happen at various levels of the academic/education process.

Moreover, the financial support extended to children with disabilities attending mainstream schools is so utterly inadequate that it can not take care of expenses on accessible books, uniform, transportation, ETC.

The institutions for higher education also do not have any facility for students with disabilities. No books in accessible formats, no provision for assistive devices and technologies, ETC.

The so-called special schools where a limited number of children are studying are also in dire straits. There exist 20 Govt. schools/institutions; and many of them were set up perhaps much before the Act came into force.

Therefore, the MP Govt's work in relation to implementing the provisions of Section 26 [c] and [d] also needs to be evaluated and assessed keeping this fact in mind. These provisions call for setting-up of special schools and strengthening them, and also making available vocational training facilities there. It would be interesting to know how many so-called special schools were created after this Act came into force.

The concerned officials took me to Asha Niketan where two special schools are being run by sisters of a Convent. These schools receive grant from the Govt. They are reasonably well-managed. Incidentally, the state Govt. is financially supporting some 41 schools run by various NGOs. There was no plan to take me to a purely Govt. run school. However, I did visit a govt. school for the blind and the hearing impaired in the city. In That school, I learnt was set up way back in 1956 where both blind and hearing impaired children are studying. Strangely, the said school still does not have a building of its own. Thus, it kept on getting shifted any number of times from one place to another since it saw the light of the day. One student told me that once the building in which they were lodged collapsed although fortunately, it did not result in any casualties. Presently, the blind and the hearing impaired children are lodged in the same hostel and the blind students are taken to a different place for attending their classes. The hearing impaired children attend classes in the place where they are lodged.

These blind and hearing impaired children are currently staying in appalling and utterly unhygienic conditions. This calls for immediate and emergent intervention from the Govt.

I was told that construction of buildings for the said school is under way and is expected to be completed within a year or so. However, I feel that it may even take two years or more; and, it would be inhuman to allow them to stay in such horrifying condition even till then. I noticed that the hearing impaired children were made to sit on the floor while attending classes. I wonder why at least some desks and benches can not be arranged!

Somehow, I could also find a little time to pay a hurried visit to a Govt. Braille press which is near the building where classes of blind children as stated above are held. The said Braille press too, is in a pathetic condition. For all practical purposes, it is run and managed by just two persons. The press has only one regular staff. The other staff was complaining that he was engaged at a monthly consolidated remuneration of five thousand rupees; and, that has since not been revised. Braille presses are not run in this manner. Of late, however, the MP Govt. has acquired a bigger printing press which is currently functional.

The MP Govt's performance in respect of implementing provisions envisaged in Section 28 relating to launching of some schemes including those relating to part-time classes ETC. is dismal nor did I notice any significant effort in relation to operationalizing

provisions of Section 28 concerning research in related areas; or for that matter provisions mentioned in Section 30 concerning formulation of some comprehensive schemes. Introduction of one language formula for the hearing impaired as mandated under the Act is yet to happen even after so many years of the Act coming into force. Greater clarity and publicity is also needed in respect of permitting a blind student an amanuensis/scribe for writing the examinations. I was told by the civil society stakeholders that lack of clarity is also responsible for differential allotment of extra-time to students with visual disabilities during exams.

Education of women and girls with disabilities merits focused attention. Moreover, Govt. should also initiate schemes/programmes for professional and technical education of persons with disabilities

Recommendations:

1. Ensure appropriate environment and humane conditions in both the mainstream as well as the so-called special schools including by making schools and educational processes fully accessible, providing books in accessible formats, creating other appropriate facilities. Sensitizing teachers and peers on a regular basis.
2. In relation to mainstream schools, provide special educators in a manner that each child with disability gets needed support from someone who has undergone full-fledged training in respect of the child's category of disability. Also enforce minimum three percent reservation of seats for students with disabilities as envisaged in Section 39 of the Act.
3. Strengthen and upgrade existing special schools and create more special schools as mandated by the relevant provisions of the Act. Such schools to be created should include schools for girls with disabilities, children with intellectual and developmental disabilities, ETC.
4. Substantially enhance the financial support to children with disabilities attending mainstream schools so as to enable them to defray the expenses on transportation, books, uniform, assistive devices, ETC.
5. Immediately shift students of the blind school and the school for the hearing impaired to better accommodation restoring humane conditions.
6. Create disability study centres and other appropriate facilities in the various universities and colleges for students with disabilities.
7. Introduce computer education for students with disabilities both in special and mainstream schools.
8. Introduce one language formula for students with hearing impairment as mandated by the Act.
9. Boards of Secondary and Higher Secondary education, and universities must issue clear-cut guidelines in respect of amanuensis/scribe and allotment of extra-time for students with visual disabilities during exams.
10. implement provisions enshrined in Sections 27, 28, 29, and 30 in a defined time-frame.
11. Introduce measures for raising trained person-power in the area of education of students with disabilities.
12. Launch professional and technical courses and coaching centres for students with disabilities.

13. Set up a talking book studio and library for the blind.
14. Streamline the functioning of the Braille printing press and appoint necessary staff to ensure its smooth functioning.

3.2: Employment:

Chapter VI of the Act (Sections 32 ---41) is on Employment. while Section 39 which appropriately should have formed part of the chapter on Education, has been erroneously inserted in the chapter on employment, Section 47 forms part of the Chapter on non-discrimination and it provides safeguards in favour of persons who acquire disability in the course of employment, and also in favour of persons who may be denied promotion on ground of disability. The chapter on employment also provides benefits to persons with disabilities under the various poverty alleviation schemes of the Govt. which is being taken up separately in this report along with affirmative action and social security.

Section 33 of the Act stipulates reservation of not less than three percent in Govt. jobs, one percent each for persons with blindness or low vision; persons with hearing impairment; and, persons with locomotor disabilities and cerebral palsy. Benefit of reservation to persons belonging to these categories of disabilities is available in all grades/categories of Govt. service. Besides, recruitment against reserved quota can be made to the posts identified for persons with disabilities. Evidently, this means that if a person with a disability gets selected purely on merit, she/he can be recruited against any post, whether identified or not. A progressive clause, which finds mention in the relevant central Govt. notification of identified jobs comes to mind. It clearly stipulates that, that list is only illustrative, and not exhaustive.

Section 32 makes it incumbent on the appropriate Govt. not only to identify jobs for persons with disabilities, but also to revise and update the said list at periodic intervals not exceeding three years. Such revision/update, the Act stipulates, should keep in mind the developments in the field of science and technology.

In the course of my interactions with stakeholders and on the basis of the Govt. response to the NHRC format, I found that there has been disproportionately delayed identification of jobs; that such identification has been carried out partially, i.e., in piecemeal; and, that there has been no revision and updation so that to this extent, there has been a manifest violation of Section 32 of the Act. This hugely contributed to the piling up of backlog of vacancies in relation to persons with disabilities.

To corroborate the above, I would like to mention three things: A. That the identification of jobs is being done at the level of each department with the result that some departments have already done it quite belatedly; others say, they are in the process of doing it; and still other are yet to do it. B. That many departments, it seems, are not identifying jobs in grade A at all despite the fact that under the Act, benefit of reservation should be made available to persons with disabilities across all grades. C. The identification is being done quite randomly without involving external experts, persons with disabilities, and NGOs. Hence, such identification exercise is bound to be both faulty and incomplete and is to the detriment of persons with disabilities. This, in itself, points to the huge backlog of vacancies.

In view of the above, one must naturally ask as to who is accountable for the utterly undeserved deprivation suffered by persons with disabilities in respect of their legitimate due? Who is going to make up for it? How is one going to do it?

This also shatters Govt's proud claim that it allows for six percent reservation as against not less than three percent mandated by the Act since in actual terms, the benefit of even three percent has not reached persons with disabilities as the MP Govt. is still not through with its identification of jobs exercise; let alone its revision or updation as envisaged under the law.

The above underscores the need for launching special drive in a defined time-frame to complete identification process and then fill up the backlog of vacancies through a proper process.

Among other things, Section 38 (d) makes it incumbent on the appropriate Govt. to ensure non-handicapping environment for persons with disabilities in the workplace. This has larger implications which include enabling persons with disabilities to perform to the optimal level of their potential, and also disabled friendly and non-discriminatory service rules/conditions. Likewise, Section 38 (b) stipulates relaxation in the upper age limit. While the Govt. has enhanced the upper age limit for recruitment and that too, only for C and D categories of jobs, no such enhancement has yet been done for superannuation.

Moreover, no significant incentives have been announced by the state govt. vide stipulation of section 41 for private and public sector undertakings to ensure that five percent of their workforce comprises persons with disabilities.

Besides, there is a serious need to implement the provisions both under section 47 (1), and section 47 (2) which provide safeguards to persons who acquire disability during service, and also prohibit denial of promotion on ground of disability.

Going by the spirit of the Act, women with disabilities should also get a fair share of reservation, etc. as they are under-represented in matters of education and employment.

Recommendations:

1. Revise and update the list of identified jobs for all categories within a defined time-frame incorporating the clause that the list is only illustrative, and not exhaustive on the lines of the relevant notification of the central Govt. Such notification can be issued by the Dept. of personnel for all the departments of the Govt. of Madhya Pradesh.
2. Take credible steps to fill up the backlog of vacancies within a defined time-frame.
3. Ensure disabled friendly environment in workplace and put in place non-discriminatory service rules/conditions.
4. Enhance the upper age limit in respect of superannuation. Also enhance the upper age limit for recruitment of persons with disabilities to grade A and grade B posts.
5. Implement the provisions of Section 47, among other things, by ensuring that promotion is not denied on ground of disability.
6. Launch, from time to time, special drive for recruitment of women with disabilities.
7. Implement relevant Govt. orders, if any, in respect of reservation in promotion in favour of persons with disabilities.

3.3: Poverty alleviation/affirmative action/social security:

Section 40 of the Act provides for three percent reservation for persons with disabilities in all poverty alleviation schemes. Likewise, Sections 42 and 43 under affirmative action makes it incumbent on the appropriate Govt. to formulate schemes for assistive devices/aids and appliances, and allotment on land at concessional rates on preferential basis. Sections 66 to 68 seeks to make provisions for social security.

Non-official stakeholders pointed out that the benefits of the various poverty alleviation schemes are not percolating down to persons with disabilities. They also shared with me some instances of alleged large scale corruption and pilferage, particularly, relating to the implementation of the national rural employment guarantee scheme. Many genuine BPL families, they alleged do not figure on the BPL list; whereas, some NON-BPLs do. There exists no solid and vibrant monitoring mechanism to keep track of the implementation of the provision under Section 40. The fact of the matter is that it appears that persons with disabilities are not at all getting the benefit of the National Rural Employment Guarantee Scheme. I feel tempted to quote here that some states, like the state of Andhra Pradesh are doing a better job in relation to giving benefit of such scheme to persons with disabilities. Hence, it would be good to interact with that Govt. on the principle of shared learning.

It is also unfortunate that despite some sort of a Govt. order, there exists no credible mechanism to track the implementation of the provision relating to preferential allotments of land to persons with disabilities for certain purposes vide Section 43 of the Act.

On the social security front; when asked about details of social security measures, the concerned officials cited certain pension schemes saying that the PWDs can also benefit from them. It appeared to me that most of the schemes they cited are generic in nature meaning that they are not exclusively for PWDs albeit they can also benefit from them. The Nirashrit Nidhi is one such scheme. Therefore, it would also be good to know whether the Mp. Govt. is also implementing any pension scheme exclusively for the benefit of PWDs. Besides, Section 68 provides for grant of unemployment allowance for those persons with disabilities who are registered with the special employment exchange and who have not been given gainful employment. However, the state Govt. has no such scheme.

Recommendations:

1. Put in place solid and vibrant monitoring mechanism to keep track of implementation of the provisions of Section 40 relating to reservation in all poverty alleviation schemes. Also develop credible data base at various levels of the concerned departments, such as, Panchayat and rural Development, ETC. for this purpose.
2. Evolve flexibility in the matter of considering persons with disabilities as belonging to the BPL category. Such persons living in rural areas and in urban slums may be considered as belonging to that category, for example.
3. Increase the amount of pension for persons with disabilities.
4. Provide unemployment allowance as stipulated vide Section 68 of Act.

5. Ensure preferential allotment of land to persons with disabilities at concessional rates as provided for vide Section 43 of the Act.
6. Designate a focal person on disability at the district level in the office of the District collector/Deputy Commissioner to coordinate and keep track of implementation of poverty alleviation, affirmative action programmes/provisions, and social security related provisions enshrined in the Act.
7. Organize exposure visits of concerned officials to states which have performed relatively better in the matter of giving benefit of the National Rural Employment Guarantee Scheme to persons with disabilities. Such exercises can be undertaken on the principle of shared learning for mutual benefit.

3.4: Barrier free access

Sections 44, 45, and 46 provide for making transport systems, roads and public buildings, ETC. barrier free so that persons with disabilities can access them smoothly. It goes without saying that accessibility has many more dimensions, and the existing Act takes a rather narrow view thereof.

Broadly speaking, while transport systems, excluding the state run buses generally do not fall within the domain of the state govt., roads and buildings do. While the state govt. has done a good job by issuing some positive orders for the purpose, similar measures also need to be taken with regard to roads and state run buses. Incidentally, buildings include workplaces, recreation centres, parks, cinema and theatre, schools, colleges and universities and other public buildings.

Work on ensuring barrier free access needs to pick up in the state.

Recommendations:

1. Conduct access audits in a phased manner and make recommendations to concerned authorities.
2. Impart training to concerned functionaries on accessibility.
3. Include comprehensive accessibility component in the syllabii of engineering and architectural courses.
4. Implement provisions of Sections 44, 45 and 46 of the Act under a properly conceived plan.
5. Make the websites accessible by complying with Web content accessibility Guidelines 2.0

3.5: Miscellaneous

It would be in the fitness of things for us to remember that there is a pronounced need for focusing on persons belonging to more marginalized categories of disabilities. Issues of women and children with disabilities merit special attention.

I also feel tempted to reiterate that many departments have an equally critical role to play in the implementation of the Act and hence, it would be unfair to pass the buck only to one department, namely, the Dept. of Social Justice and Empowerment.

Concluding Remarks

It goes without saying that the state of Madhya Pradesh has huge potential in respect work on rights of persons with disabilities. All it needs is to strengthen, streamline, and expand its work developing a better understanding of the PWD ct and also the UN Convention on the rights of persons with Disabilities which India has since ratified. A new law, which expectedly, would be more progressive than the existing legislation is on the anvil and the state must gear itself up for implementing such a progressive measure.

Information for Human Rights Commission Reporter

1. Date of Establishment of Commissioner Disability Office- 15 May 1997.
 - Shri Vivek Dhand I.A.S. From 15-5-1997 to 22-6-1998
 - Smt. Ajita Bajpai Pandry , I.A.S. From 20-7-1998 to 20-10-2000
 - Shri Kamal Kishore Rathi Independent From 20-10-2000 to 24-6-2002
 - Shri Madan Mohan Joshi Independent From 20-9-2002 to 22-3-2005
 - Shri Madan Mohan Upadhyay I.A.S. From 22-3-2005 to 26-5-2005
 - Dr, V,S, Niranjana, I.A.S. from 27-5-2005 to 14-5-2007
2. **Shri Dipankar Benarji** Independent From 14-5-2007 to Continue
3. Yes, He is fulltime and independent commissioner from **14 May 2007**.
4. Complaint received in last two year-
Year 2008-09 - 238
Year 2009-10 - 202
5. Complaint disposed in last two year-
Year 2008-09 - 80
Year 2009-10 - 76
6. Procedure:
 1. Registration of case, **Self / by representative**
 2. Analysis of case, Direct, By Organization or News Paper
 3. Action on case, 158 Cases under Process in the year 2008-2009 126 cases under process in the year 2009-10
 4. Analysis of respondent reply or reminder to respondent,
 5. Hearing 238 cases in the year 2008-09 & 202 cases in the year 2009-10
 6. Decision of case. 80 cases in the year 2008-09 & 76 cases in the year 2009-10

7. year wise details of cases /suo motto
Year 2008-09 - 5
Year 2009-10 - 3
8. As required procedure/methods followed for monitoring, disbursement and utilization of funds on disability by various departments.
: No
9. Furnish Annual reports of last two years :
Enclosed Annual Reports
10. Capacity Building and Awareness Raising:
Yes Advocacy meetings & different Trainings were organized from time to time.
11. Yes, required information is as follows :-
- | | No. of Courts | Registered cases | Disposed Cases |
|---------------------|---------------|------------------|----------------|
| Year 2008-09 | 09 | 2915 | 2915 |
| Year 2009-10 | 01 | 2085 | 2085 |
12. Faced Action after Order of C. D. by PWD: Orders passed by commissioner disability in favour of PWD sometimes not implemented by concern departments and officer, so CD office should be more strengthen.
One case of Mr. Rajeev Lochan Tiwari (Handicapped Vs Shri Sohan lal Bari Centre supritendent of Sarswati Higher Secondry School of Rewa issue an order 1216, dated 5-12-2009 due to not available a writer to apper the examinaton.
As above the Commissioner of Disabilities issue an order Rs. 10,000 by Shri Sohan lal Bari President of Sarswati Higher Secondry School of Rewa and pay to Mr. Rajeev Lochan Tiwari
13. Landmark Decisions Commissioner Disability issued an order no.1216 dated 5-12-2009 to pay Rs. 10,000 to Mr. Rajeev Lochan Tiwari (Handicapped) by Shri Sohan lal Bari President of Sarswati Higher Secondry School of Rewa because a writer was not provided by Mr Bari to Mr Tiwari to appear in examination.
14. Budgetary Allocation: Not Sufficient
(In rupees)
Pay and Allowances- 4,42,000/-
Labor - 1,00,000/

Traveling Allow. -	2,00,000/
Office Expenses -	13,30,000/
Professional Services -	30,000/
Vehicle Maintenance-	40,000/
Other Expenses -	1,00,000/
Purchase of Material -	2,00,000/
Total	24,42,000/

The Commissioner of Disabilities has no D.D.O . All payment & other Allowances are made by the Commissioner Social Justice M.P.

15. Staff strength is not satisfactory. The Existing Staff is as under :-

Commissioner Disabilities (Independent Charge)	Mr. Dipankar Banerji
Deputy Director-	Mr. Anoop Shrivastav
Assistant Grade (one)-	Miss Shakuntala Patil
Assistant Grade (two)-	Mrs. Vimal Thakre
Assistant Grade (three)-	Mrs. Bharti Pantawne
Assistant Grade (three)-	Mr. Ramnarayan Yadav
Assistant Grade (three)-	Mr. Mangleshwar Adyalkar
Driver-	Mr. Sajid Ali
Peon-	Mr. Mudrika Prasad Tiwari
Watchman (part time)	Mr. Rajesh Jha

Lacks in office staff:

1. Staff deficiency,
2. Lack of technical staff,
- 3- One Assistent Director
- 4- One One Steno Grapher
- 5- One Steno Typist

One Assistant Director, one Steno Grapher & one Steno Typist is required as additional staff.

- 16 Status of PWD act implementation: **Good**
- 17 Yes, last three years Minutes of the meetings are enclosed.
Annexer -2
- 18 Yes, enclosed **Annexer -3**

19 Education For Disabled Children:
Number Of Disabled Children studying in schools:

Number of class	Blind / Low Vision	Loco motor Disabled	Mentally Retarded	Speech and Hearing Impaired	Total
1	2	3	4	5	6
Class I to VIII	16301	53385	12023	15551	97260
Class IX to XII	3351	16818	65	181	20415

- Free education is being provided to the children with disabilities in the State.
- Number of Govt. schools - 53,642
- Number of special schools in the State. ∴ 20 (lodging & Boarding)
No of beneficiaries 1236
- 41 schools are being run by NGO's No of beneficiaries 16808
School in every division level.
- Schools established for mentally challenged boys and girls separately .
- Five more new Institutions have been started.
- Up gradation has been done for two Institutions..

20 Employment of pwd's:
10 YEARS Relaxation of Upper age limit.

Group	Number of sanctioned posts	Persons in position	Number of PWDs in position	Number of posts that should be reserved for PWDs (@3%)	Backlog of reserved vacancies	Action and time frame for clearing backlog
(1)	(2)	(3)	(4)	(5)	(6)	(7)
A	Nil	Nil	Nil	Nil	Nil	Nil
B	Nil	Nil	Nil	Nil	Nil	Nil
C	2497	1728	45	75	30	-
D	1805	1711	28	54	26	-

- 21 Barrier free environment:
- 61235 schools in the State are architecturally barrier free:
 - Number of schools that are not architecturally barrier free: M.P. Govt. Social Justice Department has been an issue order Dated 28-5-2008 to all the Government Offices, All the Head of the Departments, all the Collectors, all the C.E.O. Barrier free environment Constructions for Public place should be implemented in future.
 - All government and private buildings are in process of barrier free environment.
- 22 3% reservation of funds in poverty allevation schemes : Government of Madhaya Pradesh is providing 3% reservation in poverty allevation schemes. Pradhan Mantri Rojgar Beneficiaries 900 Yojna, Swarn Jawanti Rojgar Yojna, Beneficiaries 7546 , Swarn Jawanti Rojgar Yojna, Beneficiaries (urban) 1074 DinDayal Rojgar Yojna, Beneficiaries 301 Rani Durgawati Rojgar Yojna, 357 NMGRS
- 23 Allotment of lands at concessional rates : Yes, Madhyapradesh government is providing 5000 Sq. land at concessional rates for Disabled persons Indira Awas Yojna 3% State Cooperative Housing Sociaty 3% Housing & Environment Department 1% Commerce & Industry- Priority M.P. Housing Board For Telephone Booth & Parlor,
- 24 Action taken for early detection and identification:
- Disability survey has been done in the State.
 - Methods for preventing disabilities: Through Primary Health Centre Aangan Badi workers and ASHA Workers
 - Number and name of Districts/Blocks covered so far: 50 District & 313 Blocks
 - Number of persons benefited in the State/UT (District/Block wise): 15,373
 - Woman and child development department provides training to Aangan wadi workers for identification and counselling to parents for preventing disability and other issues.
 - Primary Health Centers is trained on prevention and early detection of disabilities.
- 25 Social Security policy Status: Details given below.
- | | |
|---|--------|
| Social Security and Other Scheme (Section 66 – 68): | --Do-- |
| Schemes for Persons with Disabilities: | -Do-- |

Sl.No.	Schemes	Funds Allocated	No. of Beneficiaries
1.	Scholarships: Educational	867.00 LAC	67000
2.	Assistance: Educational Support Materials	23.30 Lac	3715
3.	Economic Rehabilitation	53.87 Lac	56
4.	Marriage Incentive	167.5 Lac (Nirashrit Nidhi)	670
5.	Social Security Pension @ 150 per month State Funds	31000 .00 lac	853150 (185782 for disable) pension
6-	Indira Gandhi Old age Pensin @ 275 per month (Rs 200 Central share & Rs 75 State share)	33645.00 lac	1056881
7-	Indira Gandhi Vidow Pension @200 per month (Central Fund)	4079.10 lac	225085
8-	Indira Gandhi Disability Pension @ 200 per month (Central Fund)	3225.30 lac	119799
6.	Unemployment Allowance	Nil	Nil
7.	Insurance for Employees with Disabilities	Nil	Nil
8.	Aids and Appliances	NO Funds alloted (Nirashrit Nidhi)	144252
9.	Grant-in-Aid to Voluntary Organizations	1034.00 Lac	16808
10.	Human Resource Development	Nil	Nil
11.	Infrastructure Development	3.34 Lac	250
12.	Grant-in-aid to Govt. Institutions	1869.00 Lac	1236
13.	Transport Subsidies	Establishment Budget	Tranport allowance Gazetted Employees 250 per month &

			Govt, servant 150 per month
14.	Any other scheme Leprosy cured	8.40 Lac Leprosy Cured Person (Bhopal, Indore & Jhabua)	185

- 26 List of Difficulties in discharge of his duties:
1. Short of Staff
 2. Lack of powers to commissioner disability to implementation of PWD ACT,
 3. Dependency on Nodal office.
 4. Lack of administrative powers.
- 27 Best Practices of CD office: **Annexer- 4**
- 28 Any suggestions to enhance the efficiency of CD office.
- 1. Should be seprat head of the department, for disableds.**
 - 2. Administrative and financial powers should be given to CD**
 - 3. Technical staff (Law and disability) should be appointed.**
- 29 Any other relevant information **Annexer -5**

**Other State Scheme Implementing By M.P. Government
Social Justice**

- 1- Schemes : Higher studies in foreign for disabilities (Cost free)
- 2- Schemes : Civil services for Encouragement in disabilities (U.P.S.C. & M.P.S.C.)
- 3- Schemes : Marriage arrangement for disable persons (one disable 25,000 if Both Husband & wife are disable Rs 50,000
- 4- Schemes : Marishi Dhadhichi Prize distribution Rs 1-00 lac
- 5- Schemes : 6 year above children Mentally Retarded Grant in Aid given Rs 500 per month
- 6- Schemes : For helping to Disable persons for Higher Technical Education (100%) including fees , Hostlers & Transport.

Format:

Prepare a comprehensive note/presentation on the functioning of the office of Commissioner (persons with disabilities) in your state listing out its major achievements, failures, best practices, difficulties faced and suggestions for improvement in its efficiency and effectiveness. The note/presentation should, inter alia, include the following

1. Date of inception of the office of Commissioner (persons with disabilities) in your state.
2. Name of the present incumbent/Commissioner.
3. Is she/he holding full-time and independent charge? If yes, what is the duration of such independent charge?
4. Year-wise total number of complaints received during the last two years under the relevant provisions of the Persons with Disabilities (Equal opportunities, protection of rights, and Full Participation) Act 1995 (PWD Act).
5. Year-wise details of total number of complaints disposed of during the last two years.
6. Procedure followed in respect of complaints/grievances.
7. Year-wise details of cases/instances where suo motto cognizance was taken during the last two years in respect of deprivation of rights suffered by persons with disabilities.
8. As required under the relevant provisions of the PWD Act, what procedures/methods are followed for monitoring disbursement and utilization of funds on disability by various departments? Are these methods/procedures satisfactory? Any suggestions/ideas for further improvement?
9. Furnish annual reports of last two years. Have these annual reports been tabled before the concerned State Legislature as mandated by the PWD Act? :
10. Has the office of the Commissioner undertaken, from time to time, capacity building and awareness raising measures in respect of the PWD Act amongst the primary stakeholders and other stakeholders, and also among the general public?
11. Does the office of the Commissioner hold mobile courts in different places in the state, from time to time, to ensure expeditious disposal of complaints/grievances? If yes, how many mobile courts have been held so far? Please specify the total number of persons with disabilities who attended such mobile courts giving disability and gender-wise breakup. Also furnish details of number of complaints received and disposed of on the spot during the course of such mobile courts.
12. How many persons have faced action as a result of decisions by the Commissioner for violation of rights of persons with disabilities?
13. Please cite some landmark decisions by the Commissioner? If necessary, enclose a separate sheet of paper containing details.
14. Is the budgetary allocation for the office of Commissioner adequate? What is the additional requirement?
15. Is the staff strength of the office of the Commissioner satisfactory? What is the existing staff strength?

16. How do you rate the overall status of implementation of the PWD Act in your state: A. average; B. good; C. very good; and, D. excellent.
17. Do the state coordination committee and the state executive committee constituted under the PWD Act meet at regular intervals to transact its statutory business? Please furnish the minutes of last three meetings of both these committees.
18. Does the your state have a state policy on disability in place?
19. Narrate the steps taken by the state Govt. to implement provisions relating to education as envisaged in the PWD Act.
20. Narrate the measures adopted by the state Govt. to implement provisions relating to employment as envisaged in the PWD Act. What is the status relating to backlog of vacancies? Is the provision in respect of reservation under Sec. 33 of the PWD Act implemented in relation to all categories of jobs? Has the identification of posts for persons with disabilities done? If yes, is the list of posts so identified reviewed and updated in accordance with the provisions of Sec. 32 of the PWD Act?
21. narrate the measures adopted by the state Govt. to implement provisions relating to Barrier free access/accessibility as envisaged in the relevant sections of the PWD Act.
22. Enumerate the steps taken by the state Govt. relating to the implementation of three percent reservation quota in poverty alleviation schemes as envisaged in the PWD Act.
23. What is the status of implementation of provision relating to preferential allotment of land at concessional rates as envisaged in the relevant section of the PWD Act in your state?
24. Specify measures that have been taken by the state Govt. to implement provisions in respect of prevention and early detection.
25. Comment on the status of implementation of social security related provisions in your state as specified in the PWD Act.
26. Please list out the difficulties and hindering factors encountered by the commissioner in the discharge of his functions/duties.
27. Inumerate the best practices followed by the office of the Commissioner.
28. Any suggestions to enhance the efficiency and effectiveness of the office of the Commissioner?
29. Any other relevant information?