

Status Report

On

Implementation of Persons with Disabilities (Equal Opportunities, Protection of Rights, and Full Participation) Act, 1995 in the state of Gujarat

Prepared and submitted To NHRC

By -

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Acknowledgement

I hereby place on record my sincere gratitude to the National Human Rights Commission for so kindly allowing and facilitating this very important exercise carried out to identify gaps in the implementation of the existing Persons with Disabilities (Equal opportunities, Protection of Rights, and Full Participation) Act, 1995 (hereinafter called the PWD Act for reasons of brevity), in the state of Gujarat.

My sincere appreciation and Gratitude are also due to the Govt. of Gujarat, Commissioner (Persons with Disabilities), (CPD), officials of the Dept. of Social Defense, Members of the State Coordination Committee constituted under the said Act, Persons with disabilities and other stakeholders for extending all possible cooperation to me in carrying out the exercise.

Part One

Introductory

This brief status report has been put together following conclusion of an official visit by this Special Rapporteur to Ahmadabad Between 25th to 28th May, 2011 at the behest of the Hon'ble Commission. The purpose of the said visit was to identify gaps in the implementation of the existing PWD Act in the state of Gujarat so that appropriate and necessary recommendations could be made for effective and expeditious implementation of the said Act in the state of Gujarat. The actual review exercise was undertaken on the 26th and 27th of May, 2011.

The methodology adopted for the purpose of the aforesaid review exercise comprised interactive sessions with the commissioner (persons with Disabilities) (CPD) and his officials, officials of the Dept. of Social Defense including its Principal Secretary, members of the State Coordination Committee (SCC), persons with disabilities, ETC. Additionally, careful perusal of a note put together by Commissioner (persons with Disabilities) (CPD), the Govt. of Gujarat in accordance with a format made available by the NHRC, and visit to a Govt. aided institution namely, Blind people's Association, also formed part of the methodology.

Evidently, the exercise did have its own limitations as only a limited range of stakeholders could be contacted owing to time constraints. This also explains why there was little time left for carrying out field visits to different parts of the state.

Be that as it may, this report does make a modest attempt to capture some broad gaps and, accordingly, makes some recommendations for effective and expeditious implementation of the said Act in the state of Gujarat and also for bringing about appropriate systemic changes.

It would however be in the fitness of things for me to spell out in no uncertain terms that both the gaps and corresponding recommendations are very much illustrative, not exhaustive, in nature.

Part two

Enforcement and monitoring mechanisms

The existing PWD Act envisages some enforcement and monitoring mechanisms, namely, Commissioner for persons with disabilities (CPD), The state coordination Committee (SCC) and the State Executive Committee (SEC) respectively. In the state of Gujarat, the Dept. of Social Defense is entrusted with the responsibility of implementing disability specific schemes. Of course, a host of other departments, E.G., The Dept. of Education, the Dept. of labour and employment, ETC. do have a very critical and significant role to play in their respective sphere or domain in relation to implementation of the various provisions of the said Act relevant to such departments.

Commissioner for persons with disabilities (CPD):

Quite like many other states of India, Gujarat too was a late starter in respect of appointment of CPD following promulgation of the PWD Act. Ever since the setting up of the office of the CPD, the position has been held sometimes by an incumbent as an additional charge, and, sometimes by an incumbent as a full-time independent charge. In all fairness, Gujarat must be credited for appointing a blind incumbent, or for that matter, a primary stakeholder as Commissioner for persons with disabilities whose term got over more than two years back. The position was held as an additional charge by the Principal Secretary of the Dept. of Social Defense for two years or thereabouts. The present incumbent happens to be from the IAS cadres, and he has been holding this position from the Seventh of Sept. last year.

A perusal of a note prepared and submitted to this Special Rapporteur by the CPD, Gujarat in accordance with, and in response to a format made available by the NHRC reveals that while the CPD did not respond to some points/queries listed in the said NHRC format, he came up with incomplete/inadequate responses to some other points/queries, and that too, in a manner so utterly robotic and ritualistic. Therefore, this Special Rapporteur had to heavily rely on the verbal interactions with stakeholders. Strangely, some good work which has happened over the years on disability in Gujarat is not properly and adequately reflected in the CPD's note/response. This fact surfaced due to my probing queries during the course of my interactive sessions with various stakeholders. Evidently, this serves to underscore the urgency of working towards substantially improving documentation by the office of the CPD.

A reading of the CPD's response reveals that the office of the CPD had absolutely no suggestions to put forth for effective and expeditious implementation of the PWD Act, no best practices to highlight, no landmark decisions to cite, and, no hindering factors to mention. Besides, the CPD feels that both the budgetary allocation for his office as well as the infrastructure for his office are all adequate.

Despite such casual inputs from the CPD's office, my interactive sessions with a range of stakeholders enabled me to identify two areas which can, to my humble way of thinking, be highlighted as the best practices as far as Gujarat, in relation to disability work is concerned. Firstly, I got a sense that a certain spirit of constructive cooperation and healthy rapport exist between the Govt. and the disability related civil society organizations. Secondly, There is a certain sensitivity towards the more marginalized and vulnerable groups within the larger group of persons with disabilities, evidenced for example, from the fact that the Govt. of Gujarat has lately initiated some project for the mentally ill in four districts. Moreover, there exist two Govt. institutions for the mentally retarded. These, by far, are best practices, and as such deserve replication elsewhere.

In Gujarat, the District Collectors have also been designated as Deputy Commissioners for persons with Disabilities, which by far, is a welcome move. However, it is important to explicitly and properly spell out their functions as deputy Commissioners for Persons With Disabilities so that there is greater role clarity.

It goes without saying that the major functions of the Commissioner for persons with disabilities as envisaged in the PWD Act are around coordination and monitoring, grievance redressal, promotion of rights and facilities for persons with disabilities,

capacity building of range of stakeholders and sensitization of the general public regarding the rights of persons with disabilities.

Some of the major areas where gaps were identified during the review exercise in respect of functioning of the CPD's office are around absence of comprehensive and credible coordination and monitoring mechanism, lack of visible and positive proactivism in respect of redressal of complaints and grievances, non-existence of structured and planned capacity building programmes for a variety of stakeholders on regular basis in respect of human rights of persons with disabilities and the legislative framework on disability rights in India ETC. In fact, I feel the office of the CPD needs to better educate itself first on such critical matters.

Recommendations

1. Put in place comprehensive and credible coordination and monitoring mechanisms. These may include --- designation of focal persons on disability at various levels in each relevant department; maintenance of database by each relevant department of disability related work at various levels including details of beneficiaries, where relevant; filing of periodic returns by each relevant department with the CPD as per a department specific format to be developed by the CPD; carrying out of surprise field visits by CPD; etc. It is not enough only to hold periodic review meetings.
2. Demonstrate visible and positive proactivism in the matter disposing of complaints and grievances of persons with disabilities. Take suo motto cognizance of cases of deprivation of rights suffered by persons with disabilities.
3. Undertake capacity building programmes in a planned and structured manner and on a regular basis. Such programmes should be for persons with disabilities, Govt. officials/functionaries at various levels, media persons, elected representatives, persons belonging to the legal and judicial fraternity, police functionaries, etc.

State coordination Committee (SCC) and State Executive Committee (SEC)

Section 18 of the PWD Act spells out the functions of the SCC and Section 20 of the said Act refers to the functions of the SEC. Among other things, while the SCC is responsible for facilitating continuous evolution of comprehensive policy on disability, the SEC is to execute the decisions of the SCC.

The major areas of gap in the functioning of these two important committees lie in the fact that they do not meet regularly as mandated by Sections 17 and 21 respectively of the said Act and as such they are not functioning properly. The number of times these two committees have so far met ever since they were constituted falls far short of what is mandated under the said Sections of the Act. The SCC is to meet at least once every six months while the SEC is to meet every three months. This continuous non-compliance of Section 17 and Section 21 of the Act must stop forthwith.

It is therefore no wonder that the state of Gujarat is yet to have a policy on disability in place. This Special Rapporteur has been given to understand that the Govt. of Gujarat has constituted a task force for the purpose of putting together a draft state policy on

disability; but it appears that the said task force is functioning in a manner which is so utterly sluggish.

Recommendations

1. Ensure compliance with Sections 17 and 21 respectively of the PWD Act so that both these committees meet regularly as per the mandate of the law to transact their business.
2. Expedite finalization of policy on disability.

Part three

Thematic areas

Education:

My interactive sessions with various stakeholders coupled with a meticulous reading of the CPD's note gives me a sense that the performance of the Govt. of Gujarat in implementing various provisions of the PWD Act on education (Sections 26 – 31) is a mixed bag of pluses and minuses. Thus, while performance on certain fronts is relatively better, implementation of certain provisions of the Act leaves much to be desired.

Quite in keeping with the mandate of the Act, the Govt. has been making sincere efforts towards promoting and strengthening special education for students with disabilities. Presently, some 11 special institutions are being run and managed by Govt. In addition, grants-in-aid is provided to some 135 special institutions, and, some 10 privately run special institutions are recognized by the state Govt. bringing the tally to 156 special institutions. It goes without saying that the network of these special institutions needs to be expanded so as to cover the remotest areas of the state. Besides, the need for strengthening the existing special institutions also can not be over-emphasized.

Some major and illustrative areas of gaps exist in the matter of intensive, extensive, and effective implementation of the scheme of integrated/inclusive education, providing appropriate and adequate teaching learning material to students belonging to different categories of disabilities, promoting education of girls and women with disabilities, promoting professional education, and focusing more emphatically on the education and training of children belonging to more vulnerable categories of disabilities, such as children with intellectual disabilities, autistic children, children with cerebral palsy, ETC. Moreover, nothing substantial has happened in the matter of implementation of Section 27 of the Act in relation to imparting non-formal education, conducting part-time classes, etc. as envisaged in the Act.

During the course of my interactive sessions, it was brought to my notice by non-official stakeholders that even a high court case was pending in respect of implementation of the scheme of integrated/inclusive education. Pointing out the need for recruitment of more

special educators across the state, some stakeholders stressed the urgency of imparting multi-disciplinary training to such special educators so that they can cater to pan disability educational needs. Thus, a special educator, for example, whose primary training has been in teaching students with visual disabilities, should also be able to teach children with speech and hearing impairment. Another section of stakeholders resented a Govt. circular dated 27th April, 2011 restricting recruitment of persons with some specified categories and degrees of disabilities as teachers in mainstream schools. It was further alleged that the said circular (which was read out and explained to me as it was in Gujarati language) also contained derogatory language. They demanded that the said circular should be completely withdrawn.

Recommendations

1. Take steps towards intensive, extensive, and effective implementation of the scheme of integrated/inclusive education in the state. To this end, among other things, recruit more special educators; train them in multiple disciplines, etc.
2. Strengthen existing special schools/institutions and expand network of such schools/institutions across the state ensuring that these are run on modern and scientific lines.
3. Ensure availability of appropriate and adequate teaching learning material to all schools keeping in mind, among other things, the need of students belonging to more severe/profound/vulnerable disabilities. Also ensure that books are made available to students with disabilities in accessible formats. It is a happy augury that Braille books are made available to blind students in the state as reported.
4. Withdraw the circular dated 27th April 2011 restricting recruitment of persons with certain specified categories and degrees of disabilities as teacher in mainstream schools.
5. Launch special drive from time to time to promote education and training of women/girls with disabilities
6. Promote professional education for persons with disabilities.
7. Focus more emphatically on education of children belonging to more marginalized/vulnerable categories of disabilities.
8. Take effective steps to implement provisions of Section 27 of the Act in respect of imparting non-formal education, and conducting part-time classes, etc.
9. Intensify efforts aimed at designing and developing assistive devices, etc. for students/persons with disabilities.

Employment

Some major areas where gaps in the implementation of the said Act exist are in respect of identification of jobs and updation of the list of identified jobs, (Section 32), and also in respect of reservation of jobs (Section 33).

Although the Govt. of Gujarat has conveniently adopted the central Govt. list of identified jobs, the task of modifying the central Govt. list in line with the designations of posts in Gujarat continues to hang fire. This is harming the legitimate

interests of persons with disabilities in the state of Gujarat and is hugely contributing to the formidable backlog which continues to mount with the efflux of time.

It is indeed very unfortunate that the state-Govt. failed to furnish details of the existing backlog. There have been no serious efforts to determine and fill the backlog of vacancies. This continuous non-compliance with Section 32 and Section 33 of the Act needs to be addressed on a priority basis.

Evidently, the representation of women with disabilities in the state Govt. services is even minimal, in fact, negligible. This too, needs to be addressed.

Provisions of Section 38 which, inter alia, provides for creation of non-disabling environment in workplaces also needs to be implemented with utmost seriousness. It would, among other things, be in the fitness of things to closely monitor implementation of Section 47 of the Act which provides safeguards against reduction in rank of any person who acquires a disability in the course of her/his employment, and also safeguards against denial of promotion on ground of disability.

Recommendations

1. Modify without any further loss of time, the Central Govt. list of identified jobs adopted by the state of Gujarat, among other things, by suitably addressing the mismatches between the central Govt. posts and those of the state of Gujarat. Ensure periodic revision and updation of the said list clearly stipulating, (like the central list) that the list is illustrative and not exhaustive.
2. Take immediate steps to properly determine and fill up the backlog of vacancies, among other things, by launching a special drive.
3. Launch special drive for recruitment of women with disabilities from time to time.
4. Ensure appropriate and non-disabling work environment at work places.
5. Closely monitor implementation of Section 47 of the Act as indicated above.

Poverty alleviation/affirmative action/barrier free access/social security

Although the state Govt. has issued some orders pursuant to various provisions of the Act in respect of the above-listed thematic areas, this Special Rapporteur was told by non-official stakeholders including by persons with disabilities themselves that the benefits of such orders are not getting properly implemented in many places and as a consequence, persons with disabilities are not able to derive benefit from them. This merits serious and unfailing attention of the state Govt. This underscores the need for putting in place suitable mechanism for cross checking whether the benefits of these provisions in the law are actually percolating down to the intended beneficiaries. I could sense a groundswell of discontentment amongst persons with disabilities, among other things, in respect of non-serious implementation of the provision for reservation of not less than three percent quota in the various poverty alleviation schemes in favour of persons with disabilities. This also highlights the urgency of proper maintenance of database of beneficiaries at various levels by concerned departments.

It is important to promote a culture of shared learning amongst various states of the country so that one state can learn from the other. For example, Good work continues to happen in Andhra Pradesh in respect of involving persons with disabilities in the national rural employment guarantee scheme. Therefore, states, which continue to grope in the dark, not knowing how exactly to involve and benefit persons with disabilities can take a leaf from Andhra Pradesh's book. This, among other things, calls for exposure visits by functionaries of various levels.

Another gap which surfaced during the review exercise is that the provision relating to preferential allotment of land at concessional rates to persons with disabilities for certain purposes (Section 43) is not being implemented on ground. Hence, persons with disabilities are deprived of the benefit which should rightfully accrue to them as a result of such a provision.

The status of implementation of provisions in respect of barrier free access (Sections 44 --- 46) is no better.

The gap with regard to provisions on social security lies in the fact that the Govt. of Gujarat is yet to introduce a scheme for unemployment allowance for persons with disabilities as mandated by Section 68 of the Act.

Recommendations

1. Put in place mechanisms to cross check and verify whether persons with disabilities are able to avail the benefit of reservation in poverty alleviation schemes as mandated by Section 40 of the Act. Also develop a database of beneficiaries at various levels in concerned departments for this purpose. Also organize exposure visits and exchange programmes for middle and lower level functionaries of the relevant departments to promote a culture of shared learning and cross-hybridization of ideas.
2. Take immediate steps to implement provision of preferential allotment of land at concessional rates in favour of persons with disabilities as envisaged in Section 43 of the Act.
3. Implement provision regarding providing barrier free access to persons with disabilities in transportation, on roads, and in built environment. For this purpose, conduct access audits of various public buildings, etc. involving persons with disabilities and other experts. See that the access audit reports are acted upon. Also raise awareness on accessibility amongst general public and Govt. functionaries. Accessibility is not only about ramps; it is so much more than that. Ramp is but a very small though important component of accessibility.
4. Provide for unemployment allowance in favour of persons with disabilities as mandated by Section 68 of the Act.

Conclusion

It is indeed a happy augury that Gujarat is adopting a twin-track approach in its work for persons with disabilities. This implies that on one hand, the state is implementing disability specific schemes, and at the same time making efforts to mainstream disability rights issues in its general development work on the other. All that is needed is that this approach needs to be intensified and work must happen extensively in the entire state of Gujarat. Gujarat has immense potential and promise; and, this Special Rapporteur wishes to express the hope that the Govt. of Gujarat will implement the recommendations contained in this brief report with utmost seriousness and in right earnest.

Comprehensive Note/Presentation on the Functioning of the Office of Commissioner, PwD, Gujarat State.

Sr. No	Points	Details									
1.	Date of inception of the office of Commissioner (PwD) in your State.	15/12/98									
2.	Name of the present incumbent/Commissioner.	Shri Sanjay Nandan IAS									
3.	is She/he holding full-time and independent charge? If yes, what is the duration of such independent charge?	He is Full time Commissioner from 7/9/2010									
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.	<table border="1"> <thead> <tr> <th>Year</th> <th>Complaints received</th> <th>Complaints disposed</th> </tr> </thead> <tbody> <tr> <td>2008-09</td> <td>107</td> <td>37</td> </tr> <tr> <td>2009-10-</td> <td>104</td> <td>93</td> </tr> </tbody> </table>	Year	Complaints received	Complaints disposed	2008-09	107	37	2009-10-	104	93
Year	Complaints received	Complaints disposed									
2008-09	107	37									
2009-10-	104	93									
5.	Year wise details of total number of complaints disposed of during the last two years.										
6.	Procedure followed in respect of complaints/grievances.	Case is decided as per merits and the provisions of the PwD Act, 1995.									
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.	No suo-moto cognizance is taken during the last two years.									
8.	As required under the relevant Provisions of the PwD Act, what procedures/methods are followed for monitoring disbursement and utilization of funds on disabilities by various Departments? Are there methods/Procedures satisfactory? any suggestion / ideas for further	Commissioner for Persons with disabilities reviews and monitors the implementation of the various schemes and utilizations of funds every three months. The method is satisfactory.									

	improvement?	
9.	Furnish Annual reports of last two years. Have these annual reports been tabled before the concern state Legislature as mandated by the PwD Act. ?	The copy of the Annual Report for the year 2008-09 and 2009-10 is enclosed herewith. The reports are tabled in time before the State legislative Assembly as mandated by the PwD Act.
10.	Has the Office of the Commissioner undertaken. From time to time, capacity building and awareness raises majors in respect of the PwD Act amongst primary stake holders and other stake holders, and also among the general public?	As the schemes and programmes for Persons with disabilities are implemented by the different departments., such programmes are organized by them. The Commissioner PwD reviews such programmes in the meetings.
11.	Does the Office of the Commissioner holds mobile courts in different places in the State, from time to time, to ensure expeditious disposal of complaints/ grievances? If yes, how many mobiles courts have been held so far? Please specify the total number of persons with disabilities who attended such mobile courts giving disability and gender vise breakup. Also furnish details of number of complains received and disposed of on the spot during the course of such mobile courts.	Mobile Courts have been held. Total 300 Persons with Disabilities attended and 300 complaints received. 125 complaints disposed off on the spot, remaining complaints were disposed later on.
12.	How many persons have faced action as a result of decision by the commissioner for violation of rights of persons with disabilities.	-.
13.	Please site some land mark decisions by the Commissioner ? If necessary, enclose a separate sheet of papers containing details.	--
14.	Is the budgetary allocation for the office of Commissioner adequate ? what is the additional requirements?	Adequate

15.	Is the Staff / strength of the office of the Commissioner satisfactory? what is the existing staff strength ?	One Class II officer retired in January 2011, the post is vacant. The existing staff strength is satisfactory.
16.	How do you rate the overall status of implementation of the PwD Act in Your State? A. Average B. Good C. Very good D. Excellent	Between Good and Very Good.
17.	Do the State co ordination Committee and the State Executive Committee constitutive under the PwD Act meet at the regular intervals to transact its statutory business ? Please furnish the minutes of last 3 meetings of both these Committees.	The copies of the minutes of last 3 meetings are enclosed herewith.
18.	Does the Your State have a State Policy on disability in place ?	-
19.	Narrate the Steps taken by the State Government to implement provisions relating to education as envisaged in the PwD act?	Education Department of the State Government has issued GR Dated 10-7-2001 to implement these provisions. 11 Govt. Special Schools - 3 for Visually Impaired, 3 for Hearing Impaired, 2 for Mentally Challenged, 2 for Locomotor Disables and 1 Day Care Centre for Mental Health.; 135 Grant in aid Institutions and 10 Govt. Recognized Institutes are functioning in the State. Under Section 29 of the Act, 9 teacher's Training colleges are functioning in the State. 1,07924 disabled children have been registered under Sarva Shiksha Abhiyan. 11869 children have been provided aid & appliances under Sarva Shiksha Abhiyan. 3832 BRC-CRC Cordinator and 12255 Class Teacher of disabled children have been imparted training. Ramp & Railing facilites have been provided in 32128 schools.

20.	<p>Narrate the majors adopted by the State Government 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 section 33 of the PwD act implemented in relation to all category of jobs? Has the identification of post for persons with disability done? If yes, is the list of posts so identify reviewed and updated in accordance with the provisions of section 32 of the PwD Act?</p>	<p>Three Percentage reservation in every Government organization and grant in aid institutions. This office has recommended to the State Govt. to fill up the back log of P.H. by special drive.</p> <p>Government has declared 30 employment exchanges offices as special employment exchanges for compliance with the provisions of Section 34 and 37 of the Act. Over all 13424 P.H. candidates have been recommended against 413 posts reserved for the disabled and 207 candidates have received job.</p> <p>Self employment camps are organized. The State Govt. has adopted the central Govt. list for the purpose of identification of the post for the persons with disability.</p> <p>Under Section 32 to 41 of the Act loans are given to disabled Persons for employment by Gujarat Minority Finance and Development Corporation & Gujarat Thakore & Koli Vikas Nigam. In 2009-10 1573 disabled got loan of Rs. 604 lacs.</p>
21.	<p>Narrate the majors adopted by the State Government to implement provisions relating to barrier free access/accessibility as envisage in the relevant section of the PwD Act.</p>	<p>All important Government offices premises having ramp facilities for easy access. 1215 Ramps, 798 Special Toilets and 09 audio/Braille Signs in lifts are provided in Govt. offices. The Urban Development Department has amended Building Bye -laws to provide Barrier free environment in the public buildings. Almost all the offices of Social Security officers have been shifted to ground floor.</p>
22.	<p>Enumerate the steps taken by the State Government relating to implementation of three person reservation quota in poverty alliviation schemes as envisage in the PwD Act.</p>	<p>Under the Mahatma Gandhi National Rural Employment Guarantee Act 136328 Disabled Persons registered, 38525 Disabled Persons worked in NREGA and 652071 persondays generated in 2010-11.</p>
23.	<p>What is the status of implementation of provision relating to referential allotment of land at confessional rates as envisage in the relevant section of the PwD Act in your State.</p>	<p>As per the Provision of section 43 of the Act, the State Government ie Revenue Department has issued GR Dtd 20-4-2001. The concern District Collector implements the scheme. In addition 3% reservation is also executed in Indira Awas Yojana and Sardar Awas Yojana.</p>
24.	<p>Specify majors that have been</p>	<p>The State Government employees trained</p>

	taken by the State Government to implement provisions in respect of prevention and early detection.	nurses and midwives at its health centers to provide prenatal and post natal care, immunization, information of proper use of Iodine, Iron etc., vaccination champagne under the Polio, Leprosy eradication programme. School health programmes are organized. 61579 certificates of Disabilities have been issued in 2009-10.
25.	Comment of the status of implementation of social security related provision in your state as specify in the PwD Act.	Government has started an insurance scheme from March-07 for disabled people. 2,50,000 Disabled Persons are covered under the scheme. Indira Gandhi National Pension scheme and Sant Surdas scheme is in operation in the State. 43092 beneficiaries got Rs. 1705 lacs under the scheme. There are 11 Government and 135 grant in aid organizations working for persons with disabilities in the State. Moreover 757 organization are registered by Government under the PwD Act. Scheme for Assistance for house building to Disabled widows is implemented by the state. 55 widows given assistance of Rs. 12 lacs in 2009-10 under the scheme.
26.	Please list out of the difficulties and hindering factors encountered by the Commissioner in the discharge of his functions/duties.	-
27.	Enumerate 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 ?	-

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?