

**REPORT OF VISIT TO
RESIDENTIAL INSTITUTIONS FOR INTELLECTUALLY IMPAIRED CHILDREN
DAY SCHOOLS FOR DISABLED, AND HOMES FOR THE ELDERLY
IN ODISHA**

In compliance with Supreme Court directions in Reena Banerjee vs NCT of Delhi, the State of Odisha had filed an affidavit stating that 56 residential special schools functioning in the State for different categories of mentally challenged children with the capacity of 2796 inmates and that there were 63 institutions providing therapeutic and skill training to 3046 persons with disabilities were being regularly monitored by the Department of Social Security and Empowerment of Persons with Disabilities. However, as the affidavits did not provide any information on as to whether programmes on health, nutrition, sanitation and hygiene, education, therapeutic interventions, and living conditions within the residential facilities were monitored, this visit was undertaken to do the same.

One day care school providing schooling and vocational training to children with intellectual disabilities, four residential institutions for children and adults with disabilities (which included two institutions with orphaned and destitute children with disabilities sent by CWC's and registered under the JJ Act), one residential shelter for women with mental illness and mental retardation and three homes for elderly persons were visited in Cuttack, Puri and Bhubaneswar between 23rd and 25th September 2019.

Through a Block and District level network of Block and District Social Security Officers the Dept. of Social Security and Empowerment of Persons with Disabilities has been able to reach out to persons with disabilities, trans-gender communities and other vulnerable groups and ensured wide coverage for dispensation of social security entitlements.

In the last financial year, the SSEPD Department has provided financial support of approximately Rs 7 crores to NGO's to set up therapeutic centres and 63 such therapeutic centres are being supported presently. These centres meet the therapeutic needs of persons with intellectual and developmental disabilities. This is a commendable effort of the SSEPD Department to rehabilitate children and persons with disabilities requiring this support.

One aspect of the monitoring revealed that, unlike some other states, abandonment and destitution of children and adults with intellectual disabilities was relatively less. Of the institutions visited, three residential shelter homes (Ashrey in Cuttack, Neelachal Seva Pratisthan in Benaon and Ashrey shelter in Bhubaneswar for mentally ill homeless women) had some destitute and abandoned children and adults with intellectual disabilities.

As the Government of Odisha is supporting over 56 residential schools with quite a few of these residential schools also in rural areas (Neelachal Seva Pratisthan in Bangaon and Patitapavan Seva Sangh in Nimapada) service delivery is being offered to parents almost at their doorsteps which could be resulting in less instances of abandonment and destitution.

Also as the SSEPD Departments network of BSSO's and DSSO's are reaching out to rural communities and ensuring availability of entitlements destitution and abandonment is lesser. Possibly, with more detailed examination, this could be a good model for other states also to follow as it is known that if services can be made available in the rural communities abandonment and destitution will not happen.

Recommendations:

1. Institutions need to focus on sanitation and hygiene. Most institutions visited lacked adequate number of toilets and sanitation facilities.
2. Institutions need to pay attention to provision of health of residents. The larger institutions like Neelachal Seva Pratisthan which has over 700 residents, need to establish medical centres manned with permanent staff like doctors, nursing staff and para-medics. Other smaller institutions could have a panel of doctors visiting regularly.
3. None of the institutions visited had Dentists and Gynaecologists on the panel of Doctors. Dental checkups and Gynaecological checkups of children and adults with intellectual disabilities is a must.
4. Therapeutic interventions must be strengthened. Whilst the Government has supported the setting up of 63 therapeutic centres a lack of therapists was observed. One institution

only had machines and no therapists. Larger institutions need to have full time speech, occupational, physio and psycho therapists.

5. Ratio of Special Educators to children was considerably less. Generally for children with intellectual disabilities there should be one Special Educator for every ten children and for children with Cerebral Palsy there should be one Special educator for every 4 children.
6. Standards of nutrition appear to be poor. Same food is being fed to all residents whilst nutrition needs of some with severe disabilities and elderly persons could vary. Dieticians need to be consulted.
7. SSEPD Department needs to draw Standard Operating Procedures for residential institutions in terms of sanitation and hygiene, nutrition, health, safety and security, therapy, education and recreation.
8. SSEPD Departments network of the BSSO's and DSSO's need to monitor all institutions regularly using these SOP's as guidelines.
9. Pataitpavan Home:
 - There seems to be need for educational material, puzzles, toys, paints, paper and other material are available for children to use, learn and play with and efforts could be taken to make classes more colourful and vibrant.
 - They could use oil cloths as bed sheets and provide mattresses.
10. Nilanchal:
 - Considering that institution has over 700 residents a permanent Doctor, nursing staff and clinic are essential.

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Name of Institution: Pataitapavan Seva Sangha

Address: Nimapada, Dist Puri

Person met:

- Ms Sarita Das Principal
- Mr Trilochan Sahu, Supreintendent

Date of Visit: 23rd September 2019

- **General:** Pataitapavan Seva Sangha was set up in 1986 and houses School for MR, School for blind, school for deaf, old age home, therapeutic centre and also implements CBR programme.
- **Standards and guidelines for institutions adhered to:** The Institution follows Government of India guidelines.
- **Registration:** Registered under the RPD Act 2016 and not registered under JJ Act.
- **Number of residents:** Total strength 31 boys and 21 girls. 60 MR children are housed in this residential school
- **Restoration:** No restoration required as all students come from all over Odisha and are from families and contact details of all families are maintained. CWC send orphaned and destitute

children and three such orphaned children are in the home and their restoration is looked after by CWC.

- **Building facilities:** Four hostel buildings separate for deaf, blind, and old age home are maintained in the campus. Classes are also in same building. Separate hostels for boys and girls maintained.
- **Accessibility:** Buildings are double-storeyed and no ramps were visible.
- **Hostel accommodation facilities:** There are 6 rooms and dormitory for MR children. 7 MR children are kept in one room. Age group from 5 to 18 years.
- **Provision of mattresses, special beds, furniture or modifications made to existing facilities:** No modifications made and all sleep in beds but no mattresses are provided. When asked as to why mattresses Informed that as some are not toilet trained they mess the mattresses. They could use oil cloths as bed sheets and provide mattresses.
- **Staffing for hostel:** Boys hostel has 3 attendants, and 3 attendants are provided in girls hostel.
- **Other staff employed:** 6 cooks and 1 night watch man. ADL training activities of daily living such as bathing, eating, wearing clothes, grooming and toileting. Special educator for ADL training. Attendant also helps children. Attendants and teachers provide support in school and during lunch.
- **Assessment:** Assessment done under MDPS (Madras Development Process) and assessment checklist is followed and goal selection done and three month training given.
- **Safety and security:** No fire extinguishers were visible. No CCTV cameras have been installed and there is provision of one night watchman.
- **Isolation policy:** No isolation policy and if some children become hyper, then activities are done to divert their attention.
- **Inclusion policy:** Children were found moving around freely and MR children have their meals with the elderly persons residing in the home for the aged. Children normally stay in their respective areas. Whilst children with MR have meals with the elderly persons other disabilities dine together.
- **Sanitation and hygiene/ toilets:** Boys hostel has 3 toilets and girls hostel has 2 toilets and those who are not toilet trained are assisted by attendants. There are 5 toilets in the hostels for

boys and girls and considering there are 60 residents they appear to be less. Sweeper cleans the toilets and Attendants assist those who are not toilet trained.

- **Laundry facilities for clothes and linen:** Attendants wash clothes and bed linen.
- **Menstrual hygiene:** Special educators and attendants teach girls how to use sanitary pads. Pad machine installed to dispense ST pads and Superintendent distributes these. There is also a crusher for disposing used pads.
- **Sports, leisure and outdoor activities:** Sporting activities include shotput, football, etc. During leisure time children play with flying disc, skipping, musical chairs. TV's also installed. For recreation annual two picnics organised.
- **Clothing:** School dress provided and other clothes given by parents. Orphaned children provided clothes by school.
- **Tonsuring of hair:** Weekly haircuts given; no tonsuring.
- **Health:** One doctor comes twice weekly and in emergency. Taken to HDR. They have a jeep for this. HDR hospital close by and children taken there if required. Vehicle and driver available for emergency.
- **Therapeutic interventions and rehabilitation:** Therapeutic centre in premises for providing therapy but room only has machines and it did not appear that therapists are engaged. Machines looked new and unused.
- **Nutrition:** No dietician visits the home. Breakfast is generally upma, water, rice. For lunch rice, daal, vegetables are served and for dinner is same as lunch. Non-vegetarian served three times a week. Children who have difficulty in eating are supported by teachers.
- **Education:** The school for MR children employs one Special Educator, one Assistant teacher, one craft teacher, one yoga teacher part time, and one clerk. The School for MR children, depending on their IQ skills, attend pre-primary, primary 5 to 7 years, primary 1 for IQ 80, primary 2 above 80 IQ age 7 to 9, secondary 9 to 14 yrs and for pre vocational 1 and 2 based on achievements.
- **Special educators:** MR school has one Special Educator and one Assistant Teacher in addition to part time yoga and crafts teachers. The ratio of number of children to special educator is low it appears (one Special Educator for 60 children with MR) and efforts could be made to increase the ratio. For MR children ideally there should be one Special educator for every ten children.

- **Educational material, puzzles, toys, paints, paper and other material available for children to use, learn and play with:** Provided and efforts could be taken to make classes more colourful and vibrant.
- **Vocational training:** Vocational training includes coir door mats, tailoring, gardening, dairy farming, applique work, candle and phenyl making.
- **Payments for vocational work done:** No money is paid for work done in vocational training but biscuits and sweets distributed.
- **Grants:** All grants come from Government of India.

Name of Institution: Nilachal Seva Pratisthan

Address: Dayavihar, Benagaon

Person met: Dipak Mohanta, Programme developer and KC Nishank

Date of Visit: 23rd Sept 2019

- **General:** 39 year old institution set up in 1981. Institution has Child carehome, pratistha school for MR, Old age home, School for deaf and blind, Swasdhar, Ujwala, Adoption Centre, Samarth under Gharonda scheme of National Trust, rehabilitation and therapeutic centre, half way home for MI, Industrial Training Centre, Disability Rehabilitation Centre, RCI courses including diploma in Special Education.
Minimum standards and guidelines prescribed by the State Government for institutions: State has not prescribed any guidelines for homes for disabled. Standards of care as outlined in JJ Act used as a baseline for institutions. For disability institutions they follow Deen Dayal guidelines and for CNC home they follow JJ Act.
- **Registration:** Registered under all acts RPD Act, National Trust Act and JJ Act.
- **Number of residents:** Total residents are 750. Of these MR children are 100, deaf and blind 208 and under Gharonda scheme there are 30 persons with disabilities mainly CP and two of them use wheelchairs. Of MR children 36 are girls.
- **Restoration:** CWC sends orphaned and abandoned children with disabilities and restoration is done by them with assistance of the institution.
- **Building facilities:** Ramps are provided in all buildings. Separate building for MR children. 19 rooms for accommodation. 8 to 10 children per room. Girls hostel also has same number of rooms. Hostel for MR children has one warden each for boys hostel and girls hostel. 7 house mothers, two house fathers.
- Special beds, furniture and modifications made to existing facilities for children with disabilities: Beds with mattresses provided. No modification to furniture done.
- **ADL training:** Children are trained by teachers in ADL activities and attendants also assist. Support being provided by Attendants including house mothers. Boys hostel for MR has 15 and girls hostel for MR has ten attendants/ housemothers.

- **Assessment of what can the children do:** Yes this is done. Teachers provide this training.
- **Safety and security:** 24 hour security, cctv cameras installed which is monitored and house mothers stay in hostel.
- **Fire exits and safety plans:** Fire extinguishers installed.
- **Inclusion policy:** Do not have an inclusion policy and all are limited to their own spaces. This institution can adopt one considering the numbers of residents and this would be a good place to adopt inclusion. Whilst they are restricted to their own spaces they do have meals together.
- **Sanitation and hygiene/Toilets:** There are adequate number of toilets and sweepers. For those who are not toilet trained Support provided by Attendants and housemothers.
- **Menstrual hygiene:** Girls are taught by teachers. ST pad dispensing machines installed.
- **Laundry for clothes and linen:** Attendants wash bed linen and clothes. Washing machines installed.
- **ADL Training:** Training provided in schools and support provided in hostels by attendants and house mothers.
- **Sports, leisure and recreation:** outdoor sporting activities include cricket, football, ring ball for girls, volley ball. Indoor leisure activities include ludo, chess, carrom, skipping and TV. For recreation outdoor picnics and outings are organised.
- **Clothing** Is proper and adequate clothing being ensured and how many sets per child and when is it replaced: Clothes provided by parents.
- **Tonsuring of hair:** No tonsuring done and regular haircuts provided.
- **Health:** Medical officer comes in part time. Considering that institution has over 700 residents a permanent Doctor, nursing staff and clinic are essential. Puri is close by with hospitals. Vehicle and driver available for medical emergencies.
- **Therapeutic interventions and rehabilitation:** Institution has Speech and occupational therapists full time and well equipped therapeutic centre. Home has Yoga therapist one partime Psychotherapist one part time.
- **Nutrition:** Dietician comes in Weekly and meal plans are changed weekly
- **Education:** For the school for MR children there is one Principal, one trained teacher who is also Special educator, 6 graduate teachers, 5 asstt teachers. Educational material, puzzles, toys, paints, paper and other material are available for children to use, learn and play with.

School has Colourful classes and walk ways were observed. Other staff employed: Sweepers 2, one cook, one helper to cook one and one ayah.

- **Ratio of educators to children:** One special educator is for every eight children.
- **Vocational training:** Spiral binding, tailoring, applique patch work.

Name of Institution: Mission Ashra

Address: Janla State, Khurda Road, Bhubaneswar

Person met: Tanaya Rani Misra, Centre in charge

Date of Visit: 24th Sept2019

- **General:** Established in 2003. This Institution functions as a rehabilitation and vocational training Centre for mentally ill and destitute women. Presently some intellectually impaired women also reside here but there are no fresh intakes.
- **Registration:** Registered under Mental Health Act.
- **Number of residents:** 258 resident destitute and abandoned and homeless mentally ill women ranging from 18 to 45 years reside in this institution. Of them about 8 are women with intellectual impairments.
- **Disability certificates, adhar cards:** About 70 have ADHAR cards and once ADHAR is made then UDID cards will be made. Disability certificates will be made after the ADHAR and UDID cards are made. Four MR women have Aadhar cards. No disability pensions are paid to them as yet as Aadhar cards are not made. No bank accounts opened as yet.
- **Restoration:** All efforts are made to restore but it is challenging as some do not want to go home, do not have addresses and even their families are not willing to take them.
- **Building facilities:** Hostel has five rooms on ground floor and four rooms on first floor. All are dormitories with occupancy ranging from around 20 in each room. No beds provided in ground floor as yet and they intend getting some. Mattresses and bedsheets provided. Only one ramp observed at the entrance.
- **Sanitation and hygiene:** 10 toilets only for residents which is grossly inadequate for 258 residents. Three sweepers coming twice a day.
- **Menstrual hygiene:** Residents are trained and care staff assist.
- **Laundry for clothes and linen:** Recovered residents do the washing of clothes and linen and washing machines are provided for this.

- **Staffing:** Care staff work three shifts. Fifty care staff employed which is roughly fifteen per shift. They take care of all needs of women inmates. Three Councillors, two Pharmacists, two Programme Associates and one Head of Centre.
- **Other staff employed:** One cook and 4 women who have recovered assist cook in preparing meals.
- **Safety and security:** two security guards, CCTV cameras installed.
- **Recreation:** Bamboo handicrafts, Beauty parlour, Tailoring, Yoga, Prayers, Exercise, Games, Dancing and art classes are organized.
- **Whether clothing is proper and adequate:** All clothes are donated. They have personal boxes for keeping their personal belongings. Are residents paid for work done: Those who work in kitchen are paid money.
- **Tonsuring of hair:** No tonsuring of hair done and residents have short hair.
- **Health:** All specialists like Skin specialists, Gynaecologists, two Psychiatrists, General physician, are on call twenty four hours and in emergency residents are taken to hospitals close by.
- **Vehicle and driver availability:** Ambulance and driver available full time.
- **Therapeutic interventions and rehabilitation:** Yoga therapy dance therapy, cognitive therapy, art therapy, group activities are carried out regularly. Assertive and humanistic therapies likely to be introduced.
- **Professionals/ therapists for women with intellectual disabilities:** No therapists specifically for women with intellectual disabilities visit the home. Only two physiotherapists are on call.
- **Nutrition:** Food and nutrition plans are given by Doctors and elderly persons are provided different meals as required.
- **Education:** Councillors educate the uneducated.
- **Vocational training:** Vocational training given in bamboo handicrafts, tailoring etc

Name of Institution: Jewelsl International and Chetna Institute for Mentally Handicapped.

Address: Near Swosti, Bhubaneswar

Person met:

- Dr Mrs Vijaya Patil Principaal Chetna College of Special Education
- Mr Pradip Behera, Principal Chetna School for Mentally Handicapped

Date of Visit: 25th Sept, 2019

- **General:** Chetna school was set up in 1985. It is a residential school for intellectually disabled children and also runs similar schools in Balakati and Dompara in Cuttack district.
- **Standards and guidelines prescribed by the State Government for institutions:** No standard guidelines have been prescribed.
- **Registration:** Registered under NT Act and Rights of Persons with Disabilities Act.
- **Number of residents:** 129 Students from different parts of Odisha and all are from families. Only two are orphaned from odissa. Of the 129 residents, Boy residents are 100 and girls are 29. Day scholars are fifteen.
- **Building facilities:** Five classes in main building which comprises of Primary, Pre Primary, Secondary, Pre Vocational and Vocational.
- **Hostel buildings:** Hostel is in a separate building with six dormitories and each dormitory can accommodate fifty persons and smaller rooms can accommodate four children each.
- Beds and mosquito net, bedsheets and mattresses are provided but in some instances no mattresses are provided and for this the home staff state that some children soil the mattresses and others tear the mattresses. .
- **Building accessibility:** Only ramps at entrance and other ground floor levels are visible. Building has no lifts. *Limited space for movement and staircases are narrow.*
- **Hostel staffing:** Hostel has one superintendent and for every ten children there is one attendant.
- **Other staff employed like cooks, guards etc:** Kitchen has one cook and four helpers. There is also one Night guard.
- **ADL training:** ADL training imparted through teachers and staff.

- **Support being provided to children in activities like toileting, washing, cleaning of children who need support:** Attendants help children needing assistance.
- **Assessment of what can the children do and training them to work towards optimum level of independence being done:** Yes, each child is assessed for capabilities and accordingly being assigned classes.
- **Safety and security:** Fire extinguishers are installed in corridors.
- **Sanitation and hygiene/Toilets:** Toilets are in a row outside dormitories and do not appear to be very clean. There are only 6 toilets in hostel and these are considerably less considering number of residents in the hostels. Sweepers clean the toilets. Attendants assist in toileting of those who are not toilet trained.
- **Laundry for washing clothes and linen:** Clothes are washed by attendants.
- **Sports, leisure and recreation:** The school provides sporting facilities like football, racing etc. Indoor activities like ludo etc are also provided and children are taken for outings.
- **Clothing is proper and adequate:** Clothes are provided by parents and also by donations. Food items also donated.
- **Tonsuring of hair:** No tonsuring of hair is done and regular haircuts are provided.
- **Therapeutic interventions and rehabilitation:** Institution has physiotherapists and a therapeutic centre and institution has suggested that State should increase remuneration for physiotherapists. Children with CP require full time therapy and this should be looked into by the government.
- **Nutrition:** Specific nutrition requirements of children with disabilities not assessed And They are all fed regular food which is served to all. Support provided to children who have requirements to be fed.
- **Vocational training:** Vocational training programmes are carried out: Spiral binding, phenyl making, handicrafts and Computer training is provided.

Name of Institution: Ashray the shelter

Address: Sector 7, plot C/ 7, Cuttack

Person met: Ms Sujata Patnaik, Secretary

Date of Visit: 25th September, 2019

- **General:** Ashrey the Shelter was set up in 2005. The residential institution has schools and hostel and mainly houses orphaned and destitute children sent by CWC's.
- **Registration:** Registered under the Societies Act and also registered under PWD Act and NT Act and JJ Act.
- **Are standards of care as outlined in JJ Act used as a baseline for institutions:** Yes as they are registered under JJ Act they follow these guidelines.
- **Number of residents:** Day care has 239 children and adults ranging from 3 yrs till 39 years. CP persons are 44, MR are 114 and those with autism 35. Institute also has MR children who are blind and MR with CP. 169 are Below 18 yrs and day scholars are 33. Residents in the hostel number 100 with MR and those with CP are 36. All of the residents and day scholars come to day school.
- **Disability certificates, adhar cards:** All have disability certificates and some have ADHAR cards. Below five years of age do not have ADHAR cards.
- **Restoration:** This is done through CWC and advertisements in papers are also placed. Also some parents do not take back their children so they stay in the home even after 18 yrs.
- **Building facilities:** Main school has three floors for only MR and CP children. For children with Autism there is another building and one more building is therapy unit for CP. The complex also has a sensory garden.
- **Hostel facilities:** Hostel for boys has 9 rooms which can accommodate five to seven in one room and in addition there are two dormitories. There are 100 boys in the hostel. Girls hostel has One dormitory and two rooms and accommodates 36 girls. Adequate space for movement was observed in homes.
- **Building accessibility:** Boys hostel has no ramps. Girls hostel is in ground floor. Both are rented buildings.

- **Special beds, furniture or modifications made to existing facilities:** Modifications not made but Beds mattresses provided. Independent spaces provided for personal belongings. Could not see modifications in furniture for CP children and this is required.
- **Sanitation and hygiene:** Girls hostel and dormitories have only 2 Bathrooms and in boys hostel there are only 5 bathrooms. This is grossly inadequate considering there are 136 numbers of residents. 3 Sweepers clean toilets.
- **Menstrual hygiene:** Menstrual hygiene for girls is maintained by providing diapers and about 17 use them for maintaining menstrual hygiene. Large diapers given to girls as they cannot use sanitary pads. Training also given.
- **Laundry of clothes and linen:** House mothers wash clothes and bed linen etc.
- **Staffing:** For CP School there are 4 Special educators including principal, part time speech therapist who comes in twice weekly, one music teacher who comes twice a week, one computer teacher who comes twice weekly, one physiotherapist who comes twice a week.
- There are also one male and one female attendant in CP school. MR school has One principal, four special educators, music teacher, craft teacher, one physiotherapist who is part time and one speech therapist who is also part time. Attendant two. Two attendants bring children from hostels to school in buses which are owned by school.
- Autism school has one principal, three special educators, one occupational therapist, one computer teacher part time, one speech therapist part time, one art teacher part time, one music teacher part time. Autism school also has two attendants.
- Training of staff: Staff regularly visit NIMH Bangalore for training.
- **Other staff employed like cooks, guards etc:** There are Two cooks in residences and one helper in MR hostel.
- **Security and safety:** CCTV cameras installed. Footage reviewed. In school and residence fire extinguishers have been installed. Sweeper is also night guard.
- **ADL training:** Children are being trained for activities of daily living by school staff and also staff in hostels.
- **Support to children in activities like toileting, washing, cleaning of children:** Attendants and house mothers provide this support.
- **Assessment of what can the children do:** Special educator assessing child.

- **Isolation policy:** Isolation is done when required. Autistic children are sent to Sensory Park when they become hyper.
- **Communication:** Special educators assist in communication needs of children.
- **Sports, leisure and recreation:** The home regularly organises football, cricket, badminton and annual sports organised. For leisure indoor games are organised during leisure time. Exposure visits organised and picnics are also organised.
- **Clothing:** Hostel has special uniforms and school uniforms are removed in hostel. Clothes are provided by families and the organisation.
- **Tonsuring of hair:** short haircuts done regularly.
- **Education:** The home focuses on education and has three separate schools within the campus. For CP School there are 4 Special educators including principal, part time speech therapist who comes in twice weekly, one music teacher who comes twice a week, one computer teacher who comes twice weekly, one physiotherapist who comes twice a week. School for MR children has one principal, four Special educators, music teacher, craft teacher, one physiotherapist who is part time and one speech therapist who is also part time. Attendant two. Autism school has one principal, three Special educators, one occupational therapist, one computer teacher part time, one speech therapist part time, one art teacher part time, one music teacher part time.
- **Health:** Physician visits weekly, neuro doctor when required. Shishu bhawan hospital is close by and the home has links with this hospital. Van and driver available in case of emergency.
- **Therapeutic interventions and rehabilitation:** The institute has a therapeutic centre and are visited regularly visits by therapists and this is an important facet of all three schools.
- **Nutrition:** No dietician. If Doctor prescribes any special food then it is provided. Menu plan is made. Attendants feed if required.
- **Are there educational material, puzzles, toys, paints, paper and other material available for children to use, learn and play with:** Yes all of these materials are provided.
- **Vocational training:** Phenyl making, stitching, appliqué work, envelope making, agarbattis making, and bamboo handicrafts, tailoring etc.
- **Payments made for vocational training to students:** Stipend paid to those in vocational training. Bank accounts opened for those whose parents do not take money.

Name of Institution: Sahay Indian Red Cross Society, Odissa branch

Address: Manglabag near Medical College

Person met:

- Sasmita Routray Astt Teacher
- Santi Manjari Sahu, Principal also a special educator
- Surajit Rout, special educator

Date of Visit: 25th Sept

- **General:** Day school for intellectually impaired children
- **Registration:** Registered under RPD Act
- **Are standards of care as outlined in JJ Act used as a baseline for institutions:** No as they are not registered under JJ Act.
- **Number of students:** In day care there are 65 students with disabilities and vocational training there are 39 students. All are with MR, CP and MR disability combined.
- **Age group:** 6 to 18 in day school and in Vocational training above 18 till 40 years of age. School and Vocational training Centre supported by Ministry of Social Justice and Empowerment and Dept of Social Security and Empowerment of Persons with Disabilities Govt of Odisha.
- **Disability certificates, adhar cards:** All of the children have disability certificates and ADHAR cards.
- **Restoration:** All children come from families.
- **Building facilities:** Six classrooms in ground floor which are accessible for wheel chair users.
- **Hostel facilities:** No hostel facilities as this is a day school.
- **Sanitation and hygiene:** There are six toilets in building which has three floors. Toilets are cleaned by Sweepers.
- **How is hygiene maintained as some are not toilet trained:** Diapers are provided by Sahay. In ADL training children are taught hygiene and parents also taught of this.

- **Staffing:** For day school, one Principal, 5 Special Educators, music teacher, dance teacher, instrumental music instructor. Others staff: 5 attendants, three Ayahs, one sweeper, one accountant cum driver and gardener. All part time supported by management.
- In vocational and therapy unit there are 25 staff and 4 are deaf persons.
- **Therapeutic interventions:** Therapy room recently set up with support of Odisha government. Therapy regularly provided. Speech, Occupational, Physiotherapy and Psychologist provide therapy in Centre. Speech and Psychologist are part time and come in once a week. All others are permanent.
- **ADL training:** Special educators do this and care staff as well.
- **Safety and security:** Guards are assigned duty. Fire extinguishers are installed and CCTV cameras are to be installed.
- **Isolation policy:** Isolation box is used when child becomes very hyperactive. The box is moved around and this helps child to calm down.
- **Communication:** Parents are required to be present in school for a few days in the school to enable staff understand signs of child wanting to go to toilet, wanting to eat food etc. Once staff learns signs then they take over.
- **Sports, recreation and leisure:** Playground with Gym, racing, cricket for MR children, football including basket ball. For recreation children are taken to Nandan Kanan Zoological Park.
- **Clothing:** Clothing provided by parents
- **Health:** Medical College is next door for any emergencies and weekly health check up organised.
- **Education:** School runs Primary 1, Primary 2, Secondary, Pre Vocational A and Pre Vocational B. Educational material, puzzles, toys, paints, paper and other material are available for children to use, learn and play with.
- **Ratio of educators to children:** There is one Special teacher for every ten children.
- **Vocational training:** Training provided in tailoring, beautician course, printing, lamination, coffee vending, spiral binding, paper bags, screen printing, artificial jewellery. Fibre reinforced plastic machine installed for making urine sample bottles and homeopathic bottles.
- Goods sold in melas organised by rotary Club.

Name of institution: Sampatrai Rotary old age home, Cuttack

Date of Visit: 25th September 2019

- **General:** The Sampatrai Rotary old age home for elderly persons has two buildings. One building houses a home which is a paid service. Individuals needing to reside here have to make one time deposit of Rs 50,000/- and pay Rs 5000/- every month. The other building houses the home for elderly which is free and without any charge.
- **Capacity of home for elderly:** The free of charge home has capacity to accommodate 25 persons. Presently 18 men and women reside
- **Number of rooms in home:** 5 rooms which can accommodate 5 persons each. Spacious open verandah in front, one common room, kitchen and dining hall.
- **Number of residents in home:** 18 men and women reside in the home.
- **Certification and pensions:** All residents except a few have ADHAR cards and avail pensions. The few who do not have ADHAR cards were informed by representative from SSEPD Department on procedure to change address in ADHAR.
- **Do men and women have separate rooms:** Yes
- **Is the home accessible:** Yes, this is a single storeyed bungalow.
- **Do residents have spaces to keep their personal belongings:** Yes
- **Was the home well ventilated:** Yes
- **Space to move:** Ample space for residents to move around. The house also has a large garden in the front for residents to walk around.
- **Sanitation:** 5 bathrooms. One attached to each room.
- **Health:** Doctor and medical facilities available in hospital close by. Cars available for any emergency.
- **Nutrition:** No dietician and regular food is served to residents.
- **Leisure activities:** Each room has TV and general indoor leisure activities like chess and playing cards etc are provided.

Name of Institution: Pataitapavan Seva Sangha old age home

Address: Nimapada, Dist Puri

Person met:

- Ms Sarita Das Principal
- Mr Trilochan Sahu, Superintendent

Date of Visit: 23rd Sept

- **General:** Pataitapavan Seva Sangha was set up in 1986 and houses School for MR, School for blind, school for deaf, old age home, Therapeutic Centre and also implements CBR programme
- **Capacity of home for elderly:** 25 persons
- **Number of rooms in home:** One dormitory with an attached office for Superintendent.
- **Number of residents in home:** 23 persons both men and women. One woman resident was blind. All 23 residents were housed in one single room and range from 60 to 80 years.
- **Certification and pensions:** All residents except one resident have ADHAR cards and receive the old age pension of Rs 500 per month.
- **Accessibility:** The home is in the ground floor and there is a ramp but no railings are provided.
- **Do residents have spaces to keep their personal belongings:** Personal belongings are stored in individual boxes by residents.
- **Was the home well ventilated:** Room has windows, beds, fans and TV.
- **Space to move:** The dormitory was very cramped with hardly any space to move around. Even the space between beds was very little. The windows did not have any screens and this is required to keep away the sunlight during summers.
- **Sanitation:** The home had 4 toilets. Separate for men and women. No separate toilet was provided for disabled residents.
- **Facilities for residents who are disabled:** No special facilities seem to be provided to residents with disabilities.

- **Health:** No special medical facilities are provided to residents of the home for elderly. One doctor comes twice weekly and in emergency taken to hdr.
- **Nutrition:** No special diets appear to be prescribed. All residents of the home dine in the common dining hall and eat what is made for all residents of the institution. Residents have meals along with children with intellectual disabilities.
- **Leisure activities:** Residents watch TV, play games like cards, chess, ludo. No evidence of being provided newspapers and magazines was visible.

Name of Institution: Nilachal Seva Pratisthan Home for elderly.

Address: Dayavihar, Benagaon

Person met: Dipak Mohanta, Programme developer and KC Nishank

Date of Visit: 23rd Sept 2019

- **Number of residents:** 50 women and men above the age of 60 years reside in this home for the elderly.
- **Number of rooms in the home:** The home has 8 rooms housing the residents. Women and men are housed separately and have space to keep their personal belongings.
- **Ventilation:** The rooms are well ventilated and fans are provided.
- **Accessibility:** Ramps are provided at the entrance of the home.
- **ADHAR cards and pensions:** All residents have ADHAR cards and avail old age pensions.
- **Health facilities:** Doctor visits four times in a week and residents have the facility of a residential clinic within the premises of the institution. Facilities of an ambulance are also available if residents have to be moved to hospital in an emergency.
- **Nutrition:** Whilst dietician facilities are not available in the premises all residents of the home for elderly get breakfast, lunch and dinner with tiffin and snacks in the evenings.

REPORT OF MEETING WITH GOVERNMENT OFFICIALS IN ODISHA

The following officers of the State Government of Odisha were met between 26th and 27th September:

Department of Social Security and Empowerment of Persons with Disabilities

- **Mr Bhaskar Jyoti Sarma, Secretary and Commissioner.**
- **Mrs Bratati Harichandan, Jt Secretary and Director.**
- **Mr. Pravat Mohapatra, Joint Secretary.**
- **Mr Ambika Pattnaik, Dy Secretary.**
- **Mr Sannyasai Behera, DSSO Head Quarter.**
- **Dr Subrat Das, Rehabilitation Officer, SIDR.**
- **Mr Pallav Das, Consultant.**

Office of State Commissioner Disabilities:

- **Mrs. Sulochana Das , State Commissioner Disabilities.**
- **Mr Dass, Advisor , State Commissioner Disabilities.**

Department of School and Mass Education:

- **Mr Sashwat Misra, Principal Secretary, Department of School and Mass Education .**
 - **Srimati Surekha Tarai, Joint Director, OSEPA.**
 - **Mr Ashok Kumar Rath, Joint Secretary.**
- 1.

Women & Child Development Department

- **Mrs Mira Pani, Field Officer, Odisha State Child Protection Society.**
- **Mr Sangram Samal, State Coordinator.**

Odisha State Commission for Protection of Child Rightss:

- **Ms Sandhyawati Pradhan Chairperson State Commission for Protection of Child Rights and Other members of OSCRC;**

Meeting with Officials of department of Social Security and Empowerment of Persons with Disabilities, Office of State Commissioner Disabilities, Department of School and Mass Education

Department officials were met in a meeting to discuss steps taken by the Government of Odisha to implement directions of Supreme Court in the matters of Reena Banerjee vs NCT of Delhi, Rajive Raturi vs UOI and steps initiated to implement the Rights of Persons with Disabilities Act.

- **Reena Banerjee vs NCT of Delhi:**

Affidavit filed by State of Odisha stated that 56 residential special schools functioning in the State for different categories of mentally challenged children with the capacity of 2796 inmates and 63 institutions providing therapeutic and skill training to 3046 persons were regularly monitored. However no information was provided as to whether programmes related to health, education, nutrition, safety and security and sanitation and hygiene were specifically monitored.

Findings of the monitoring were shared in brief with Department officials and were informed that a detailed report will be communicated to the Odissa Government by NHRC.

- **Rajive raturi vs UOI:**

SC directions in Judgment dated Dec 2016 were discussed with Department officials.

- Against target of making 20-50 important State government buildings in 50 cities fully accessible by December 2017 The Department informed that 21 buildings had been retrofitted and balance buildings were under process of retrofitting and this work would be completed by December. Against target of making 50% of all the govt. buildings of the national capital and all the state capitals fully accessible by December 2018 I was informed that 203 buildings had been identified and 124 buildings had been retrofitted and balance would be completed by December 2019

State also informed that Auditing of retrofitted buildings was being conducted.

- **Against target of** Completing accessibility audit of 50% of govt. buildings and making them fully accessible in 10 most important cities/towns of states/UTs not covered in targets (i) and (ii) by December 2019.

State informed that against this target, In ten cities identification was going on and 583 buildings have been identified so far and that 169 buildings had been retrofitted and that more than 50% of these buildings will be retrofitted by December 2019.

The Department informed that Special budgetary provision is to be made for this work and Committee has agreed to grant additional grants for this work.

- **Against target of providing accessibility in public and private transport buses the State has commenced making accessible 1700 privately owned buses and 7500 State owned buses will be made accessible by April 2022 for which time has been sought. 806 state owned buses are accessible as of now and All new buses to be procured will be accessible for which Government has issued a notification. .**
- **On achievement of target to make websites accessible State informed that Notification for designation of auditors for auditing websites had not been done as yet. This needs to be done at the earliest and all websites need to conform to guidelines issued by Central Government.**
- **Against target of making all public documents accessible the State has made no progress and this too needs to be initiated in compliance of SC directions.**
- **Against target of training Sign language interpreters the State informed that only RCI certified institution the NIHH Odissa is authorised to train sign language interpreters and so far 13 sign language interpreters had been trained and certified by RCI. State also informed that Sign language training for Police was being done at the Biju Patnaik Police Academy and policemen are being trained on sign language. The State needs to focus on this as all public dealing offices should have sign language interpreters for the benefit of persons who are deaf and hard of hearing.**

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

Activities completed:

- **Act has been translated in local language;**
- **Rules have been notified;**
- **Advisory Board has been set up and is in the process of reconstitution . The Advisory Board has 5 experts in the field of disability and rehabilitation, 10 persons with disabilities out of which 5 are women & 1 person each from the Scheduled Castes and the Scheduled tribes;**
- **All Districts have constituted District level committees and each Committee has 27 line members who are of main State Government Departments and Each**

Committee has one member of committee who is a person with disability. Role of District Committee has been codified in State rules;

- State has notified the appointment of Special Courts and appointment of a Public Prosecutor in each District Court;
- The Trust fund has been set up with a corpus of Rs two crores;
- Nodal officer appointed for education in each district by School and Mass Education Department;
- two Expert Committees for job identification have been set up and another interdepartmental committee has been set up to identify jobs suitable for persons with disabilities;
- state has notified 5% reservation in allotment of land and other developmental schemes as per Section 37 of the RPWD;
- Certification of new disabilities is being done;

Pending activities:

- Only 20 Companies have informed State Commissioner Disabilities of appointment of GRO's. This needs to be taken up by Department in the state and GRO's need to be appointed in all govt establishments;
- Notification is in process of being issued to notify Executive Magistrates informing them of their role in protecting persons with disabilities against ill treatment, violence and abuse (Section 7);
- Assessment Board for certifying High Support was in the process of being notified (Section 38);
- The State Commissioner Disabilities is yet to constitute the Advisory Committee comprising of not more than five members drawn from the experts in the disability sector (Section 79 subsection 7). State informed that this was in the process of being constituted. State needs to speeden the process of constituting this committee;
- Equal opportunity policies have not been notified with State Commissioner Disabilities;
- Quantum of assistance in the poverty alleviation schemes has not been increased by 25% for people with disabilities Section 24;
- Authorities not yet notified for mobilising community for providing support to exercise legal capacity(Sec 15);

Resolution No. 7140/ SSEPD Dt.5th September, 2017 states “ Persons with more than 40% of any disability as certified by a competent Certifying Authority appointed under Section 57(1) of “Rights of Persons with Disabilities Act, 2016” irrespective of nature of disability, shall be eligible for reservation“. This is contrary to the RPD Act which defines persons with benchmark disabilities who are entitled to reservations in employment as “(r) “person with benchmark disability” means a person with not less than forty per cent. of a specified disability where specified disability has not been defined in measurable terms and includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority;”. This resolution needs to be amended. (Copy of resolution attached.)

Order No. 4353/SSEPD dated: 16.04.2019 provides reservation to temporary disabilities which is against Section 34 of the RPD Act . Clarification issued by Dept of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment is also attached. State of Odisha needs to withdraw this order.

Meeting with Department of School and Mass Education:

Mr Sashwat Misra, Principal Secretary Dept of School and Mass Education was met to discuss implementation of Sections 32.

- **The State has not yet notified 5% reservation in all Higher educational institutions. Mr Misra assured that a notification to this effect will be issued by his Dept. immediately;**
- **On the issue of ensuring relaxation of upper age limit for persons with disabilities in higher education , he informed that the State has no age bar for higher education;**
- **The implementation of Sections 16 and 17 were also discussed with officials of the Department . Dept informed that against Section 17 (a) household survey will include enumeration of children with disabilities of school going age. Department was informed that this survey which is required to be conducted is not part of the household survey and was required to be done to conform to Section 16 of the Act.**

Meeting with Odisha State Commission for Protection of Child Rights:

- **Ms Sandhyawati Pradhan Chairperson Odisha State Commission for Protection of Child Rights and Other members of OSCPCR were met to understand the role of OSCPCR. The Commission has no mandate to monitor institutions for children with disabilities and only supports institutions for children with disabilities where orphaned and abandoned children with disabilities are sent by the CWC’s and this support is only till the child attains the age of 18 years. The Commission has overseeing authority only of Child in Need of Care and Protection under the Juvenile Justice Act. The Commission needs to also have monitoring authority over residential institutions for children with disabilities.**

Other meetings held:

- **A meeting with NGOs working on disability, Shanta Memorial Rehabilitation Centre and Open Learning Society and the Odisha Viklang Manch were held to understand critical issues of concern for persons with disabilities in the State and information gathered was used to discuss the same with Department of SSEPD;**
- **The VRC in Bhubaneswar was also met to understand role played by the institution in training persons with disabilities on Vocational trades for their livelihood and employment.**



Government of Odisha
Department of Social Security & Empowerment of Persons with Disabilities

No. 4353 /SSEPD
SSEPD DA 2-DA Policy 0010/2019

Dated: 16.04.2019

From
Niten Chandra, IAS
Principal Secretary to Government.

To
All Departments of Government
All Heads of Departments
All Collectors

Sub: Extension of benefits to persons with benchmark disabilities holding temporary certificates of disabilities – Regarding.

Sir,

Grievances from PwDs holding temporary disability certificates regarding their deprivation from benefits of reservation in government posts are being received by this Department. It is clarified that under the RPwD Act, 2016 all persons with benchmark disability are entitled for benefits under the Act. PwDs holding temporary disability certificates are not outside the scope of persons with benchmark disability. In this regard Law Department has observed:

“Section 34 of the Act speaks of “persons with bench mark disabilities” which, as per Section 2 (r) means a person with not less than 40 % of specified disability either defined in measurable terms or not defined so. There is no reference either in Section 34 or in Section 2 (r) to the nature of disability is either temporary or permanent. It is a well settled legal proposition that nothing can be added to or subtracted from the statute book. Therefore, qualifying the expression “persons with bench mark disabilities” occurring in Section 34 in any manner would amount to adding words to the statute which is impermissible in the eye of law.

As the Rights of Persons with Disabilities Act, 2016 is a beneficial legislation, the grievances of PwDs may be redressed in the line of observation of the Hon'ble Supreme Court, which emphasizes that the benevolent enactments ought to be given liberal and expansive interpretation, and not narrow or restrictive construction (*Madan Singh Shekhawat-vrs-Union of India* reported in 1999 (6) SCC 459)”.

It may therefore be noted that the rights of PwDs having temporary certificates should not be curtailed in any manner.

Yours faithfully,

Principal Secretary

Contd.P.2

Memo No. 4354 / Dated: 16.04.2019

Copy submitted to DC-cum-ACS, Govt. of Odisha, Bhubaneswar for information and necessary action.

A. Chandre
Principal Secretary

Memo No. 4355 / Dated: 16.04.2019

Copy forwarded to Chief Commissioner for Persons with Disabilities, New Delhi Joint Secretary, Department of Empowerment of PWDs (Divyangjan), Government of India, New Delhi for information and necessary action.

A. Chandre
Principal Secretary

Memo No. 4356 / Dated: 16.04.2019

Copy along with note sheet copy forwarded to State Commissioner for Persons with Disabilities, Bhubaneswar for information and necessary action.

A. Chandre
Principal Secretary

No. 22-02/2019-DD.III

Government of India

Ministry of Social Justice & Empowerment

Department of Empowerment of Persons with Disabilities (Divyangjan)

DD-III Section

(274) 17

Pt. Deendayal Antyodaya Bhawan,
CGO Complex, New Delhi-110003
Dated the 14 January 2019

To

Shri P.K. Mohapatra
Principal Secretary to Government
School & Mass Education Department
Odisha Secretariat
Bhubaneswar-751001



Sub:- Clarification on applicability of provisions of reservation to the person with temporary disabilities

Sir,

I am directed to refer to your D.O. letter No.26989 (SME-EL2-EL2-0061-2018) dated 17/12/2018 on the above noted subject and to furnish clarification as under:

“Person with disability of temporary nature implies that percentage of disability of the person may progress or regress as it is temporary not permanent. Therefore, it may not be appropriate to give reservation in job to persons with benchmark disability of temporary nature as at the time their percentage of disability reduces below 40%, they will be out of the definition of person with benchmark disability (a person with not less than forty per cent of a specified disability) mentioned in Right of Persons with Disabilities Act, 2016. However, such persons with temporary disability may be given other benefits meant for PwDs as long as their disability is not less than 40%.”

2. This issues with the approval of Secretary, DEPwD.

Yours faithfully,

D.K. Panda
(D.K. Panda)

Under Secretary to the Government of India

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

Subject: Visit of Shri Rajive Raturi, Special Monitor(Thematic area of rights of disabled and senior citizens) to Bhubaneswar, Odisha from 23rd to 27th September 2019

Shri Rajive Raturi, Special Monitor (Thematic area of rights of disabled and senior citizens) visited the various institutions for children with intellectual impairment and elderly in Bhubaneswar and had meetings with the concerned Government Officials to determine whether the State Government had implemented directions of Hon'ble Supreme Court of India in judgment dated December 8th, 2016 in *Reena Banerjee vs Govt of NCT of Delhi* in Civil Appeal.11938/2016 (Arising out of S.L.P.(Civil) No.39321/2012) wherein all State Coordination Committees were directed to monitor, evaluate programmes, suggest and implement remedial measures for improvement of all residential homes for children and adults with disabilities.

Following are the institutions visited in Bhubaneswar on the dates mentioned against each:

1. Pataitapavan Seva Sangh on 23rd September 2019
2. Pataitapavan Seva Sangha old age home on 23rd September 2019
3. Nilanchal Seva Pratisthan on 23rd September 2019
4. Nilachal Seva Pratisthan Home for the Elderly on 23rd September 2019
5. Mission Ashra on 24th September 2019
6. Jewel International and Chetna Institute for Mentally Handicapped on 25th September 2019
7. Ashray the Shelter on 25th September 2019
8. Sahay Indian Red Cross Society, Odisha Branch on 25th September 2019
9. Sampatrai Rotary Old Age Home, Cuttack on 25th September 2019

Further, he had meetings with the Government Officials from the following government institutions/departments in Odisha:

1. Department of the Social Security and Empowerment of Persons with Disabilities
2. Office of State Commissioner Disabilities
3. Department of School and Mass Education

4. Women and Child Development Department
5. Odisha State Commission for Protection of Child Rights

The observations and recommendations that emerged from the visit reports and the report of the meetings with Government Officials in Kolkata is mentioned below.

REPORT OF MEETINGS WITH GOVERNMENT OFFICIALS IN ODISHA

I. Department of the Social Security and Empowerment of Persons with Disabilities and Office of State Commissioner Disabilities

Officers from the Department of the Social Security and Empowerment of Persons with Disabilities	Officers from the Office of State Commissioner Disabilities
<ul style="list-style-type: none"> • Mr Bhaskar Jyoti Sarma, Secretary and Commissioner • Mrs Bratati Harichandan, Jt Secretary and Director. • Mr. Pravat Mohapatra, Joint Secretary • Mr Ambika Pattnaik, Dy Secretary • Mr Sannyasai Behera, DSSO Head Quarter. • Dr Subrat Das, Rehabilitation Officer, SIDR. • Mr Pallav Das, Consultant 	<ul style="list-style-type: none"> • Mrs. Sulochana Das, State Commissioner Disabilities • Mr Dass, Advisor, State Commissioner Disabilities

- With reference to Reena Banerjee vs. NCT of Delhi Case, the affidavit filed by the State of Odisha stated that 56 residential special schools functioning in the State for different categories of mentally challenged children with the capacity of 2796 inmates and 63 institutions providing therapeutic and skill training to 3046 persons were regularly monitored. However no information was provided as to whether programmes related to

health, education, nutrition, safety and security and sanitation and hygiene were specifically monitored.

- Supreme Court's judgement of December 2016 pertaining to the Rajive Raturi vs. Union of India were also discussed and the following was informed:
 - Against the target of making 20-50 important State government buildings in 50 cities fully accessible by December 2017, the department informed that 21 buildings had been retrofitted and balance buildings were under process of retrofitting and this work would be completed by December 2019.
 - Against the target of making 50% of all the govt. buildings of the national capital and all the state capitals fully accessible by December 2018, the Special Monitor was informed that 203 buildings had been identified and 124 buildings had been retrofitted and balance would be completed by December 2019
 - Auditing of retrofitted buildings is being conducted.
 - Against the target of completing accessibility audit of 50% of govt. buildings and making them fully accessible in 10 most important cities/towns of states/UTs not covered in targets (i) and (ii) by December 2019, it was informed by the State that identification of 10 cities is under process and 583 buildings have been identified and 169 buildings have been retrofitted and 50% of the remaining buildings will be completed by December 2019.
 - The Department informed that Special budgetary provision is to be made for creating accessible spaces and the Committee has agreed to grant additional grants for this work.
 - Against the target of providing accessibility in public and private transport buses the State has commenced the process of making 1700 privately owned buses and 7500 State owned buses accessible by April 2022. 806 state owned buses are accessible as of now and all new buses to be procured will be accessible for which Government has issued a notification.
 - On achievement of target to make websites accessible, State informed that Notification for designation of auditors for auditing websites had not been done as yet.
- Special Monitor's Recommendation:*** Websites needs to made accessible at the earliest as per the guidelines issued by Central Government. Against target of making

all public documents accessible the State has made no progress and this too needs to be initiated in compliance of SC directions.

- Against target of training Sign language interpreters the State informed that only RCI certified institution the NIHH Odisha is authorised to train sign language interpreters and so far 13 sign language interpreters have been trained and certified by RCI. State also informed that Sign language training for Police was being done at the Biju Patnaik Police Academy and policemen are being trained on sign language.

Special Monitor's Recommendation: The State needs to focus on this as all public dealing offices should have sign language interpreters for the benefit of persons who are deaf and hard of hearing.

- Status of Implementation of Rights of Persons with Disabilities Act 2016:
 - The Act has been translated in local language
 - Rules have been notified
 - Advisory Board has been set up and is in the process of reconstitution. The Advisory Board has 5 experts in the field of disability and rehabilitation, 10 persons with disabilities out of which 5 are women & 1 person each from the Scheduled Castes and the Scheduled tribes
 - All Districts have constituted District level committees and each Committee has 27 line members who are of main State Government Departments and Each Committee has one member of committee who is a person with disability. Role of District Committee has been codified in State rules
 - State has notified the appointment of Special Courts and appointment of a Public Prosecutor in each District Court
 - The Trust fund has been set up with a corpus of Rs two crores
 - Nodal officer appointed for education in each district by School and Mass Education Department
 - Two Expert Committees for job identification have been set up and another interdepartmental committee has been set up to identify jobs suitable for persons with disabilities
 - State has notified 5% reservation in allotment of land and other developmental schemes as per Section 37 of the RPWD
 - Certification of new disabilities is being done

- Pending Working:
 - Only 20 Companies have informed State Commissioner Disabilities of appointment of Grievance Redressal Officers. This needs to be taken up by Department in the state and GRO's need to be appointed in all government establishments;
 - Notification is in process of being issued to notify Executive Magistrates informing them of their role in protecting persons with disabilities against ill treatment, violence and abuse (Section 7)
 - Assessment Board for certifying High Support is in the process of being notified (Section 38)
 - The State Commissioner Disabilities is yet to constitute the Advisory Committee comprising of not more than five members drawn from the experts in the disability sector (Section 79 subsection 7). State informed that this was in the process of being constituted. State needs to speed the process of constituting this committee
 - Equal opportunity policies have not been notified with State Commissioner Disabilities
 - Quantum of assistance in the poverty alleviation schemes has not been increased by 25% for people with disabilities Section 24
 - Authorities not yet notified for mobilising community for providing support to exercise legal capacity (Sec 15)

II. Department of School and Mass Education

Officers Met: Mr Sashwat Misra, Principal Secretary, Department of School and Mass Education

Smt. Surekha Tarai, Joint Director, OSEPA

Mr Ashok Kumar Rath, Joint Secretary

- The implementation of Section 32 of the RPD Act was discussed with the Principle Secretary, Department of School and Mass Education.
- The State has not yet notified 5% reservation in all Higher educational institutions. Mr Misra assured that a notification to this effect will be issued by his Department immediately

- On the issue of ensuring relaxation of upper age limit for persons with disabilities in higher education, he informed that the State has no age bar for higher education
- The implementation of Sections 16 and 17 were also discussed with officials of the Department, to which it was informed that against Section 17 (a) household survey will include enumeration of children with disabilities of school going age. Department was informed that this survey which is required to be conducted is not part of the household survey and was required to be done to conform to Section 16 of the Act

III. Odisha State Commission for Protection of Child Rights

Officers Met: Ms Sandhyawati Pradhan Chairperson State Commission for Protection of Child Rights and Other members of OSCRC

- Ms Sandhyawati Pradhan, Chairperson, Odisha State Commission for Protection of Child Rights and Other members of OSCPCR were met to understand the role of OSCPCR.
- The Commission has no mandate to monitor institutions for children with disabilities and only supports institutions for children with disabilities where orphaned and abandoned children with disabilities are sent by the CWC's and this support is only till the child attains the age of 18 years.
- The Commission has overseeing authority only of Child in Need of Care and Protection under the Juvenile Justice Act. The Commission needs to also have monitoring authority over residential institutions for children with disabilities.

REPORT OF VISIT TO VARIOUS INSTITUTIONS IN ODISHA

I. PATAITAPAVAN SEVA SANGH

Observations

1. Pataitapavan Seva Sangha was set up in 1986 and houses School for MR, School for blind, school for deaf, old age home, therapeutic centre and also implements CBR programme. The Institution follows Government of India guidelines.
2. The institution is registered under the RPD Act 2016 and not registered under JJ Act.
3. The total strength is 31 boys and 21 girls. 60 Mental Retardation (MR) now named intellectual disabilities (ID) children are housed in this residential school
4. No restoration is required as all students come from all over Odisha and are from families and contact details of all families are maintained. CWC send orphaned and destitute children and three such orphaned children are in the home and their restoration is looked after by CWC.
5. Four hostel buildings separate for deaf, blind, and old age home are maintained in the campus. Classes also happen in the same building. Separate hostels for boys and girls maintained.
6. Buildings are double-storeyed and no ramps were visible.
7. There are 6 rooms and dormitory for MR/ID children. 7 MR/IR children are kept in one room.
8. No modifications are made and all sleep in beds but no mattresses are provided. When the Special Monitor asked about the lack of mattresses, it was informed that the children who are not toilet trained tend to mess the mattress up.
9. Boys hostel and girls hostel have 3 attendants each. Further, 6 cooks and 1 night watch man is also there. Activities of Daily Living (ADL) such as bathing, eating, wearing clothes, grooming and toileting. There also is a special educator for ADL training. Attendant also helps children. Attendants and teachers provide support in school and during lunch.

10. Assessment is done under Madras Development Process (MDPS) and assessment checklist is followed and goal selection done and three month training given.
11. No fire extinguishers were visible. No CCTV cameras have been installed and there is provision of one night watchman.
12. No isolation policy is present. However, when children become hyper, they are engaged in activities to divert attention.
13. It was observed that children in the institution were allowed to move around freely. Children with intellectual disabilities have their meals with the elderly persons residing in the home for the aged.
14. Boys hostel has 3 toilets and girls hostel has 2 toilets and those who are not toilet trained are assisted by attendants. There are 5 toilets in the hostels for boys and girls and considering there are 60 residents they appear to be less. Sweeper cleans the toilets and Attendants assist those who are not toilet trained. There are attendants to wash clothes and bed linen.
15. Special educators and attendants teach girls how to use sanitary pads. Pad machine has been installed to dispense pads and Superintendent distributes these. There is also a crusher for disposing used pads.
16. Sporting activities in the institution include shotput, football, etc. During leisure time children play with flying disc, skipping, musical chairs. TVs are also installed. For recreation annually, two picnics are organised.
17. The institution provides school dress and other clothes are provided by parents. Orphaned children provided clothes by school.
18. There is no tonsuring of hair done. However, residents are given weekly haircuts.
19. Doctor comes twice weekly and in case of emergency the residents are taken to HDR Hospital for treatment. The institution has a jeep for transportation of residents for the same. HDR hospital close by and children taken there if required. Vehicle and driver available for emergency.

20. The institution also has therapeutic centre in premises for providing therapy but the room only has machines and it did not appear that therapists are engaged. Further according to the Special Monitor, machines looked new and unused.
21. No dietician visits the home. In breakfast, the residents are generally served upma, water, rice. For lunch and dinner, rice, daal, vegetables it is are served. Non-vegetarian dishes are served three times a week. Children who have difficulty in eating are supported by teachers.
22. The school for MR children employs one Special Educator, one Assistant teacher, one craft teacher, one yoga teacher part time, and one clerk. The School for MR children, depending on their IQ skills, attend pre-primary, primary 5 to 7 years, primary 1 for IQ 80, primary 2 above 80 IQ age 7 to 9, secondary 9 to 14 yrs and for pre vocational 1 and 2 based on achievements.
23. The MR school also has one Special Educator and one Assistant Teacher in addition to part time yoga and crafts teachers. The ratio of number of children to special educator is low it appears (one Special Educator for 60 children with MR/ID) and efforts could be made to increase the ratio. For MR/ID children ideally there should be one Special educator for every ten children.
24. There seems to be need for educational material, puzzles, toys, paints, paper and other material are available for children to use, learn and play with and efforts could be taken to make classes more colourful and vibrant.
25. Vocational training includes coir door mats, tailoring, gardening, dairy farming, applique work, candle and phenyl making.
26. No money is paid for the work done in vocational training but biscuits and sweets distributed.

II. PATAITAPAVAN SEVA SANGHA OLD AGE HOME

1. Pataitapavan Seva Sangha was set up in 1986 and its old age home currently houses 25 persons ranging between 60-80 years of age.
2. The Home has one dormitory with an attached office for the Superintendent.

3. Out of the all the elderly resident, one woman resident has visual impairment.
4. All residents except one resident have ADHAR cards and receive the old age pension of Rs. 500 per month.
5. The Home is in the ground floor and there is a ramp, but no railings are provided.
6. Personal belongings are stored in individual boxes by residents.
7. The dormitory has windows, beds, fans and TV.
8. The dormitory was very cramped with hardly any space to move around. Even the space between beds was very little. The windows did not have any screens and this is required to keep away the sunlight during summers.
9. The home had 4 toilets. Separate for men and women. No separate toilet was provided for disabled residents.
10. No special facilities seem to be provided to residents with disabilities.
11. No special medical facilities are provided to residents of the home for elderly. One doctor comes twice weekly and in emergency taken to nearby hospital.
12. No special diets appear to be prescribed. All residents of the home dine in the common dining hall and eat what is made for all residents of the institution. Residents have meals along with children with intellectual disabilities.
13. The residents watch TV, play games like cards, chess, ludo as part of recreation. There wereno evidence of newspapers and magazines being provided to the residents.

III. NILANCHAL SEVA PRATISTHAN

Observations

1. Nilanchal Seva Pratisthan is a 39 year old institution which was set up in 1981. It is registered under RPD Act, National Trust Act and JJ Act.

2. The institution has the following facilities:
 - Child carehome
 - Pratistha school for MR
 - Old age home
 - School for deaf and blind
 - Swasdhar
 - Ujwala Adoption Centre
 - Samarth under Gharonda scheme of National Trust
 - Rehabilitation and therapeutic centre
 - Half way home for MI
 - Industrial Training Centre
 - Disability Rehabilitation Centre
 - RCI courses including diploma in Special Education
3. As the State does not have any guidelines for homes for disabled, standards of care as outlined in JJ Act is used as a baseline for institutions. For disability institutions, they follow the Deen Dayal guidelines and for CNC home they follow JJ Act.
4. The total number of residents is 750. Of the total residents, 100 are children have MR/ID among them 36 are girls. 208 children are deaf and blind and under Gharonda scheme there are 30 persons with disabilities mainly Cerebral Palsy (CP) and two of them use wheelchairs.
5. CWC sends orphaned and abandoned children with disabilities and restoration is done by them with assistance of the institution.
6. Ramps are available in all the buildings. There is a separate building for children with intellectual disabilities.
7. There are 19 rooms for accommodation in which 8 to 10 children stay per room.
8. The proportion is same in both girls and boys hostel. Hostel for children with MR/ID has one warden each for boys hostel and girls hostel. Further there are seven house mothers, two house fathers in the institution.
9. Beds with mattresses is provided to the residents. No modification to the furniture done.

10. Children are trained in ADL by teachers with assistance from attendants. Support is provided by attendants including house mothers. Boys hostel and girls hostel for MR/ID has 15 and 10 attendants/ housemothers respectively.
11. Children are assessment on what they can do and where they need training and accordingly teachers provide the requisite skills.
12. The institution has 24 hour security, CCTV cameras which are monitored and house mothers stay in hostel.
13. The institution also has fire extinguishers installed.
14. As per the Special Monitor's observation, the residents of the institution are limited to their own spaces. Whilst they are restricted to their own spaces they do have meals together. The institution can consider adopting an inclusion policy considering the numbers of residents.
15. There are adequate number of toilets and sweepers. For those who are not toilet trained support is provided by attendants and housemothers. Girls are trained for menstrual hygiene by their teachers and sanitary pad dispensing machines installed.
16. Attendants wash bed linen and clothes. The institution also has provisions of washing machines.
17. Training for ADL provided in schools and support provided in hostels by attendants and house mothers.
18. Outdoor sporting activities include cricket, football, ring ball for girls, and volley ball. Indoor leisure activities include ludo, chess, carrom, skipping and TV. For recreation outdoor picnics and outings are organised.
19. Clothing of the children are provided by their parents.
20. Haircuts are given to the children regularly and no tonsuring is done.
21. With respect to health facilities available in the institution, a medical officer comes in part time. Hospitals in Puri are nearby and in case of emergencies wherein a resident needs to be taken to the Hospital, vehicle and driver are readily available.

22. The institution has employed a full time speech and occupational therapist who have a well equipped therapeutic centre. Further, it has one part-time yoga therapist and one part-time psychotherapist. They also have a dietician who comes weekly changes weekly diet plans.
23. The school for MR/ID has one Principal, one trained special educator, six graduate teachers and five assistant teachers. In the school, educational material, puzzles, toys, paints, paper and other material are available for children to use, learn and play with. The school has colourful classes and walk ways. Further school also has two sweepers, one cook, one helper to cook one and one ayah. The student teacher ratio of the school is one special educator is for every eight children.
24. Vocational training for spiral binding, tailoring and applique patch work is provided.

IV. NILACHAL SEVA PRATISTHAN HOME FOR ELDERLY

1. Nilanchal Seva Pratisthan Home for Elderly houses 50 women and men above the age of 60 years.
2. The home has 8 rooms housing the residents. Women and men are housed separately and have space to keep their personal belongings.
3. The rooms are well ventilated and fans are provided.
4. With respect to accessibility of the Home, ramps are provided at the entrance of the home.
5. All residents have ADHAR cards and avail old age pensions.
6. A doctor visits four times in a week and residents have the facility of a residential clinic within the premises of the institution.
7. Facilities of an ambulance are also available if residents have to be moved to hospital in an emergency.

V. MISSION ASHRA

Observations

1. Mission Ashrawas established in 2003. This Institution functions as a rehabilitation and vocational training Centre for mentally ill and destitute women. Presently some intellectually impaired women also reside here but there are no fresh intakes. The institution was registered under Mental Health Act.
2. A total of 258 women ranging from the age of 18 to 45 years reside in this institution. Of them, about 8 are women with intellectual impairments.
3. 70 women have ADHAR cards and once ADHAR is made then UDID cards will be made. Their disability certificates are yet to be made and the process will be initiated after the ADHAR and UDID cards are made. Four MR women have Aadhar cards.
4. No residents receive disability pensions as Aadhar cards are not made and no bank accounts opened.
5. The institution has made all efforts to restore people back to their families, but it is challenging as some do not want to go home, some do not have addresses and even their families are not willing to take them.
6. The hostel has five rooms on the ground floor and four rooms on first floor. All are dormitories with occupancy of around 20 in each room. The dormitories in the ground floor do not have beds as of now but the administration intends to get it. However, mattresses and bedsheets are provided in all the dormitories.
7. The Special Monitor observed a ramp in the entrance.
8. There are 10 toilets are it is grossly inadequate for 258 residents. Three sweepers come thrice a day for maintaining them.
9. Residents are trained in menstrual hygiene management and the institution also has care staff to assist if needed.
10. Residents who are able to do activities of daily living do the washing of clothes and washing machines are provided for this.

11. Fifty care providing staff are employed who work in three shift. Thus fifteen care providing staff work per shift. They take care of all the needs of the women. Further there are three counsellors, two pharmacists, two programme associates and one Head of Centre in the institution.
12. One cook and 4 women who have recovered look after preparation of meals.
13. For the safety and security of the residents, two security guards are present and CCTV cameras are installed.
14. Vocational training for bamboo handicrafts, beauty parlour, tailoring, yoga, prayers, exercise, games, dancing and art classes is provided.
15. All clothes are donated, but people also have their boxes for keeping their personal belongings.
16. The residents who work in the kitchen are paid money.
17. There is no system of tonsuring of hair, but the residents have short hair.
18. All specialists like Skin Specialists, Gynaecologists, two Psychiatrists, General Physician, are on call twenty four hours and in case of emergency, residents are taken to the nearby hospitals. Ambulance and driver are available 24x7. No therapists are available for the residents.
19. Yoga therapy, dance therapy, cognitive therapy, art therapy, group activities are carried out regularly. Further it was informed to the Special Monitor that assertive and humanistic therapies likely to be introduced.
20. Nutrition: Food and nutrition plans are given by Doctors and elderly persons are provided different meals as required.
21. With respect to education of the residents, the counsellors of the institution impart education to the residents.

VI. JEWELS INTERNATIONAL AND CHETNA INSTITUTE FOR MENTALLY HANDICAPPED

Observations

1. Chetna school was set up in 1985. It is a residential school for intellectually disabled children and also runs similar schools in Balakati and Dompara in Cuttack district. The institution is registered under National Trust Act and Rights of Persons with Disabilities Act.
2. There are no standard guidelines that have been prescribed to the institution.
3. The institution has a total of 129 students (100 boys and 29 girls) from different parts of Odisha. Out of the total strength, 2 students are orphaned. Fifteen students are day scholars.
4. There are five classes in the main building which comprises of Primary, Pre Primary, Secondary, Pre Vocational and Vocational.
5. The institution has a separate hostel building with six dormitories. The bigger dormitories can accommodate fifty persons each and the smaller rooms can accommodate four children each.
6. While beds and mosquito net, bedsheets and mattresses are provided to all the students, the Special Rapporteur observed that some beds did not have mattresses. When about it, the staff explained that some children soil the mattress and tear them, thus they have not been provided the mattresses.
7. Ramps were observed at the entrance and other ground floor levels. The building had no lifts and the staircases lacked space for movement.
8. The hostel has one superintendent and for every ten children there is one attendant. One cook along with 4 helpers have been employed to meet the food needs of the students.
9. ADL training is imparted through teachers and staff. Apart from that attendants provide support for activities like toileting, washing, cleaning of children.
10. Before assigning a class to the student, the institution assesses each child for capabilities and accordingly classes are assigned.

11. With respect to safety and security, a night guard has been employed. There are fire extinguishers are installed in corridors.
12. As per observations of the Special Monitor, the toilets do not seem to be very clean. The Hostel has only 6 toilets and these are less considering number of residents in the hostels. Sweepers clean the toilets. Attendants assist in toileting of those who are not toilet trained.
13. The clothes of the students are washed by attendants.
14. The school provides sporting facilities like football, racing etc. Indoor activities like ludo etc are also provided and children are taken for outings.
15. The clothes worn by the children are provided by parents and also by donations. Food items also donated.
16. The institution has no tonsuring of hair. However, the students are given regular haircuts.
17. The institution has physiotherapists and a therapeutic centre. However, the institution suggested to the Special Monitor that the State must consider increasing remuneration for physiotherapists.
18. Specific nutrition requirements of children with disabilities not assessed and they are all fed regular food which is served to all. Support is provided to children who need assistance in feeding.
19. Vocational training programmes for spiral binding, phenyl making, handicrafts and computer training is provided by the institution.

VII. ASHRAY THE SHELTER

Observations

1. Ashray the Shelter was set up in the year 2005. The residential institution has schools and hostel and mainly houses orphaned and destitute children sent by Child Welfare Committees. The institution is registered under the Societies Act, PWD Act, National Trust Act and JJ Act.

2. The institution follows the standards of care as outlined in JJ Act as they are registered under JJ Act.
3. The day care has 239 children and adults ranging from 3 years to 39 years. There are 44 residents with CP, 114 have MR/ID and 35 residents have autism. 169 residents are below 18 years of age and 33 are day scholars. The residents in the hostel consist of 100 residents with MR and 36 with CP. All of the residents and day scholars attend the day school.
4. All the students have disability certificates and some have ADHAR cards. However, the children below 5 years do not have ADHAR cards.
5. Restoration of the children is done through CWC and advertisements made in the papers. In cases where parents do not come to take their children back, they are kept in the Home even after they attain the age of 18 years.
6. The main school has three floors only for students with MR/ID and CP. For children with Autism there is another building. Further, there is a separate building used a therapy unit for children with CP. The complex also has a sensory garden.
7. The facilities in the hostel are as follows:
 - Hostel for boys has 9 rooms which can accommodate five to seven in one room and in addition there are two dormitories. There are 100 boys in the hostel.
 - Girls hostel has one dormitory and two rooms and accommodates 36 girls. Adequate space for movement was observed in the rooms.
 - The boys hostel had no accessibility ramps.
 - The girls hostel is in ground floor.
 - Both the buildings, for girls and boys, are rented.
 - The beds in the hostel had mattresses. Further, the hostel rooms had independent spaces for personal belongings. There were no modifications in the furniture for children with CP, which tends to be a very important modification.

- The girls hostel and dormitories had only 2 bathrooms as opposed to 5 bathrooms in the boys hostel. According to the Special Monitor, the number of bathrooms in the girls hostel seemed grossly inadequate. The institution has employed 3 sweepers to clean the toilets.
8. Menstrual hygiene for girls is maintained by providing diapers and 17 girls use them for maintaining menstrual hygiene. Large diapers are given to girls as they cannot use sanitary pads. Further training on using the diaper are given to the residents.
 9. House mothers wash clothes and bed linen etc.
 10. In the school for children with CP there are 4 Special educators, including principal, part time speech therapist, music teacher, computer teacher and physiotherapist who come twice a week. The school further has one male and one female attendant.
 11. The school for children with MR/ID has one principal, four special educators, music teacher, craft teacher, one part-time physiotherapist and one part-time speech therapist. The school also has two attendants. The two attendants bring children from hostels to school in buses which are owned by school.
 12. The school for children with autism has one principal, three special educators, a part-time computer teacher, speech therapist, art teacher, music teacher and one occupational therapist. It also has two school attendants.
 13. The staff regularly visits NIMH Bangalore for training.
 14. There are two cooks in residences and one helper in MR/ID hostel.
 15. As part of the safety and security provisions, CCTV cameras have been installed. The footages are reviewed. Both the school and the residence have fire extinguishers installed. The sweeper is also night guard.
 16. Children are being trained for activities of daily living by school staff and also staff in hostels.
 17. The attendants provide support to children in activities like toileting, washing and cleaning.

18. The institution undertakes isolation as and when required. However, children with autism are sent to the sensory park when they tend to become hyper
19. Special educators assist in communication needs of children.
20. The home regularly organises football, cricket, badminton and annual sports events. For leisure, indoor games are organised. Exposure visits and picnics are also organised.
21. The clothes of the children are provided by the parents and the institution. Hostel has a special uniform and school uniforms are removed once children are back in the hostel.
22. The children are given short haircuts regularly.
23. A physician visits weekly and a neurologist is available on call. Shishu Bhawan hospital is nearby and the Home is affiliated to it. A van and a driver is available in case of an emergency.
24. The institute has a therapeutic centre and is regularly visited by therapists which is commendable.
25. There is no dietician available in the institution, however, if a doctor prescribes a certain diet then the institution provides for it.
26. Educational material such as puzzles, toys, paints, paper and other material is available for children to use, learn and play with.
27. Vocational training for phenyl making, stitching, appliqué work, envelope making, agarbattis making, and bamboo handicrafts, tailoring etc. is imparted in the institution. A stipend is paid to those enrolled in vocational training and bank accounts have been opened for those whose parents do not take money.

VIII. SAHAY INDIAN RED CROSS SOCIETY, ODISHA BRANCH

Observations

1. Sahay Indian Red Cross Society, Odisha Branch is a day school for children with intellectual impairment and the institution has been registered under the RPD Act.
2. 65 students with disabilities have been enrolled in the day school and 39 children with disabilities are enrolled in vocational training. The age range in the day school is between 6 to 18 years and in vocational training students range from 18 to 40 years of age. There is one Special teacher for every ten children.
3. All the students have either CP or MR/ID. The school has no hostel facility.
4. The school and the vocational training centre is supported by the Ministry of Social Justice and Empowerment and Department of Social Security and Empowerment of Persons with Disabilities, Government of Odisha.
5. All of the children have disability certificates and ADHAR cards.
6. The six classrooms in ground floor which are accessible for wheel chair users.
7. There are six toilets in building. Toilets are cleaned by sweepers.
8. Hygiene of the students are maintained by providing diapers to the students.
9. The day school has one Principal, 5 special educators, music teacher, dance teacher and instrumental music instructor. Further, 5 attendants, 3 Ayahs, 1 sweeper, 1 accountant cum driver and gardener is also employed.
10. The vocational and therapy unit of the School has 25 staff and 4 among them are deaf persons.
11. A therapy room has been recently set up with support of Odisha government. It provides regular therapies such as speech, occupational, physiotherapy and counselling. Speech therapist and Psychologist are part time and come in once a week. All others are permanent.
12. Special educators and care staff provide training for ADL and.
13. For safety and security, guards have been employed. Fire extinguishers have been installed and CCTV cameras are yet to be installed.

14. Isolation box is used when child becomes very hyperactive. The box is moved around and this helps child to calm down.
15. Parents are required to be present in school for a few days in the school to enable staff understand signs of child wanting to go to toilet, wanting to eat food etc. Once the staff learns signs then they take over.
16. The school has a playground with facilities of Gym, racing tracks, cricket for children with MR/ID, football and basketball. For recreation, children are taken to Nandan Kanan Zoological Park.
17. Clothing of the students is provided by the parents
18. The Medical College nearby is available for emergencies and weekly health check-ups are organised by the institution.
19. The school runs the following classes: Primary 1, Primary 2, Secondary, Pre Vocational A and Pre Vocational B. Educational material, puzzles, toys, paints, paper and other material are available for children to use, learn and play with.
20. Vocational training is provided in tailoring, beautician course, printing, lamination, coffee vending, spiral binding, paper bags, screen printing, artificial jewellery. Fibre reinforced plastic machine installed for making urine sample bottles and homeopathic bottles. The goods produced during vocation training is sold in the melas organised by Rotary Club.

IX. SAMPATRAI ROTARY OLD AGE HOME, CUTTACK

Observations

1. The Sampatrai Rotary Old Age Home has two buildings. One of the building is a paid service old age home wherein the elderly has to pay a one-time deposit of Rs. 50,000 and then pay Rs 5000/- every month. The other building provides services for free to elderly in need.
2. The free old age home has a capacity to accommodate 25 persons, but presently 18 men and women reside in it.

3. The old age home has 5 rooms which can accommodate 5 persons each. The rooms are well ventilated and each room has an attached toilet. Each room has TV and general indoor leisure activities like chess and playing cards etc are provided. Further, the Home has spacious open verandah in front, one common room, kitchen and a dining hall.
4. All residents, except a few, have ADHAR cards and avail pensions.
5. Men and women live in separate rooms. Each resident has a separate space to keep his/her personal belongings. The
6. According to the Special Monitor, the Home is accessible.
7. The Home has ample space for the residents to move around. The house also has a large garden in the front for residents to walk around.
8. Doctor and medical facilities are available in hospital nearby. Cars are available in case of any emergency.
9. The Home has no dietician and regular food is served to residents.

RECOMMENDATIONS

1. In the Pataitpavan Home needs provisions for educational materials, puzzles, toys, paints, paper and other material for children to use, learn and play with. Further efforts need to made to make the class look more colourful and vibrant.
2. The Pataitpavan Home does not provide mattresses for hostel residents as the students who are not toilet trained tend to mess the mattresses. The institution may consider using oil cloths as bed sheets and provide mattresses.
3. Pataitapavan Seva Sangha Old Age Home has only one dormitory where men and women are housed together. This needs to be immediately attended to and men and women need to be housed separately.
4. Nilanchal Seva Pratisthan has over 700 residents, thus it is essential to station permanent doctors, nursing staff and clinic.

5. All the institutions need to focus on sanitation and hygiene. Most institutions visited lacked adequate number of toilets and sanitation facilities.
6. All the institutions need to pay attention to provision of health of residents. The larger institutions like Neelachal Seva Pratisthan which has over 700 residents, need to establish medical centres manned with permanent staff like doctors, nursing staff and para-medics. Other smaller institutions could have a panel of doctors visiting regularly.
7. None of the institutions visited had Dentists and Gynaecologists on the panel of Doctors. Dental checkups and Gynaecological checkups of children and adults with intellectual disabilities is very necessary.
8. Therapeutic interventions must be strengthened. Whilst the Government has supported the setting up of 63 therapeutic centres, lack of therapists was observed. One institution only had therapeutic equipments and no therapists. Larger institutions need to have full time speech, occupational, physiotherapists and psychotherapist.
9. Ratio of Special Educators to children was considerably less. Generally for children with intellectual disabilities there should be one Special Educator for every ten children and for children with Cerebral Palsy there should be one Special educator for every 4 children.
10. Standards of nutrition appear to be poor. Same food is being fed to all residents whilst nutrition needs of some residents with severe disabilities and elderly persons could vary. Dieticians need to be consulted in all the institutions.
11. SSEPD Department needs to draw Standard Operating Procedures for residential institutions in terms of sanitation and hygiene, nutrition, health, safety and security, therapy, education and recreation.
12. SSEPD Departments network of the BSSO's and DSSO's need to monitor all institutions regularly using these SOP's as guidelines.



Government of Odisha
SOCIAL SECURITY & EMPOWERMENT OF PERSONS WITH DISABILITIES DEPARTMENT

RESOLUTION

No. 7140 / SSEPD
SSEPD-DA-II-MISC-0136-2017

Dt.5th September, 2017

Sub: Reservation and other concessions for the Persons with Disabilities in various posts or services under State Government or Public Sector undertakings.

The Government of India have enacted "the Rights of Persons with Disabilities Act, 2016" by repealing the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 which has come into force with effect from 19th April 2017. The new Act has provided 4% reservation for Persons with Disabilities. Keeping in view the change the Government have been pleased to issue the following instructions superseding all previous orders and instructions.

1. Quantum of Reservation.

- (1) Not less than four percent of the vacancies in case of direct recruitment to Group A, B, C and D posts shall be reserved for Persons with Disabilities (PwDs) of which one percent each shall be reserved for persons with benchmark disabilities under clauses (a), (b) and (c) and one percent for persons with benchmark disabilities under clauses (d) and (e), namely-

- (a) Blindness and Low Vision,
- (b) Deaf and hard of hearing,
- (c) Locomotor disability including Cerebral Palsy, leprosy cured, dwarf, acid attack victims and muscular dystrophy
- (d) Autism, intellectual disability, specific learning disability and mental illness,
- (e) Multiple disabilities from amongst persons under clause (a) to (d) including deaf-blindness in the posts identified for each disability time to time.

- (2) Out of 4% (four percent) reservations for Persons with Disabilities, one per cent reservation shall be earmarked for women with disabilities.

2. Definition, percentage of Disabilities and Certifying Authority to issue disability certificate.

- (1) Disability means disability as defined in section 2(zc) and the specified disability enlisted in the schedule of the "Rights of Persons with Disabilities Act, 2016".
- (2) Persons with more than 40% of any disability as certified by a competent Certifying Authority appointed under Section 57(1) of "Rights of Persons with Disabilities Act, 2016" irrespective of nature of disability, shall be eligible for reservation.
- (3) Authority to give disability certificate.

The disability certificate shall be issued by the competent Certifying Authority as notified by the Central and State Government from time to time.

(4) Verification of disability certificates.

The Appointing Authorities shall verify the disability certificate before appointment to prevent false or fake claims and to ensure appointment of genuine persons with disability. They may initiate action against such persons who attempts to commit fraud and avail of the benefits meant for Persons with Disabilities. The appointing authorities shall get all disabilities verified by "the Appellate Authority" being appointed under Section 59(1) of "Rights of Persons with Disabilities Act, 2016" by this department from time to time before issue of appointment orders to the candidates.

3. Computation of reservation.

- (1) Reservation for persons with disabilities in case of Group-C and Group-D posts shall be computed on the basis of total number of vacancies occurring in all Group-C and Group-D posts, as the case may be, in the establishment, although the recruitment of the persons with disabilities would only be, in the posts identified for them.
- (2) The number of vacancies to be reserved for persons with disabilities in case of direct recruitment to Group-C post in an establishment shall be computed by taking into account the total number of vacancies arising in Group-C posts being filled by direct recruitment in a recruitment year, both in the identified and non-identified posts under the establishment. The same procedure shall be applied for Group-D posts.
- (3) Reservation for Persons with Disabilities in Group-A and Group-B posts shall be computed on the basis of total number of vacancies occurring in direct recruitment quota in the entire identified Group-A and Group-B posts respectively in the cadre.
- (4) All Departments or Establishments of the Government of Odisha shall compute the number of vacancies available in all the cadres under their control including attached offices, subordinate offices, public sector undertakings, Government companies, Boards etc. and fill up all such vacancies through special recruitment drives.

4. Inter se-Exchange and carry forward.

- (1) Reservation for each categories mentioned in sub-para (1) of Para 1 shall be made separately. But, if the nature of vacancy in an establishment is such that a person with specific category cannot be employed, the vacancies may be interchanged among these categories. The Head of the Department shall be the competent authority to allow exchange. If the post is identified for more than one category, preference should be given to the category, which is less represented.
- (2) If any vacancy reserved for any category of disability cannot be filled due to unavailability of suitable persons with that disability or, for any other sufficient reasons, such vacancies shall not be filled and shall be carried forward as a "backlog reserved vacancy" to the subsequent recruitment year.
- (3) In the subsequent recruitment year "the backlog reserved vacancy" shall be treated as reserved for the category of disability for which it was kept reserved in the initial year of recruitment. However, if a suitable person with disability is not available, it may be filled by interchange among these categories.

(4) The vacancy reserved for persons with disability shall be filled by the persons with disabilities only and de-reservation shall not be made in case of direct recruitment. The reserve vacancy shall remain vacant till it is filled by recruitment of the persons with disability. Employer shall make sincere efforts even within the same recruitment year to fill up reserved vacancy.

(5) If it is not possible to fill up the reserve post by persons with disabilities, even after following procedure of sub-para (4) above, the post may be filled by persons other than a person with disability and the reservation should be carried forward for up to three recruitment years, where after the same can be filled up after exemption from reservation following Para 10.

5. Persons with disability selected on their own merit shall not occupy Reserve roster.

Persons with disabilities selected on their merit without relaxed standards, along with other candidates shall not be adjusted against the reserved share of vacancies. The reserve vacancies shall be filled up separately from amongst the eligible candidates with disabilities, which will thus comprise persons with disabilities who are lower in merit than the last candidate in merit list but otherwise found suitable for appointment, if necessary, by relaxed standard available for Persons with Disabilities in addition to the SC and ST candidates. It will apply for direct recruitment wherever reservation for persons with disabilities is admissible.

6. Horizontal reservation for persons with disabilities.

(1) Reservation for backward classes of citizen (SCs, STs, OBCs) is called 'vertical reservation' and the reservation for categories such as persons with disabilities, ex-servicemen, sportspersons etc is called horizontal reservation. Horizontal reservation cuts across vertical reservation and is called interlocking reservation, and the persons selected against the quota for persons with disabilities shall be placed in the appropriate category of SC, ST, OBC and General.

(2) Since the persons with disabilities have to be placed in the appropriate category viz, SC, ST, OBC and General in the roster meant for reservation of SCs, STs, and OBCs, the application form for the post should clearly indicate that the candidates applying under the quota reserved for persons with disabilities to indicate whether they belong to SC, ST, OBC or General category.

7. Mention Sub-category of disabilities in advertisement.

While inviting application for filling up of reserved vacancies meant for persons with disabilities the sub-category of disability shall be mentioned, as example given below:

Category of disability and Sub-category

Locomotor disability

One Arm, One Leg, Both Leg, etc.

8. Appointment of persons with disabilities against un-reserved vacancies.

Unreserved vacancies are open to all including the reserved category like persons with disabilities, if post is identified to be suitable for them. Debarring of any category of persons with disabilities shall be violation of Government instruction. Persons with disabilities shall not be debarred from applying for the posts identified as suitable for them.

9. Identification of post.

- (1) Each establishment under State Government or Public Sector undertakings shall identify posts in Group A, B, C and D posts to be reserved for persons with disabilities in consultation with this Department. The appointing authority may also give appointment against any post which is not included in the list of post as identified, if it is considered that the physical requirement of the post can be suitable for a person with disabilities.
- (2) If identified post is upgraded or its nomenclature has been changed but physical requirement to perform that job remain the same, that post shall remain as identified post for such categories.
- (3) Preference shall be given to persons with disabilities, while appointing persons in that post which are identified as suitable for them, even in excess of the 4% quota.

10. Exemption from reservation orders.

Where a Department of the Government consider that it is not possible to provide employment for persons with disabilities to the extent of reservation in view of the nature of duties expected to be performed by the employees in that particular Department, that Department could be partly or fully exempted from implementing the reservation order. The grant of such exemption shall be decided by the Social Security and Empowerment of Persons with Disabilities Department based on recommendation of an inter-Departmental Committee constituted for the purpose.

11. Manner of filling of vacancy earmarked for persons with disabilities.

- (1) Keeping in view the provisions of the "the Rights of Persons with Disabilities Act, 2016" four categories of persons with disabilities as given below shall be appointed covering following categories in order namely:-

Category	Types of disabilities	Percent
Category I	(a) Blindness and Low Vision;	1 %
Category II	(b) Deaf and hard of hearing;	1 %
Category III	(c) Locomotor disability including Cerebral Palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;	1 %
Category IV	(d) Autism, intellectual disability, specific learning disability and mental illness; (e) Multiple disabilities from amongst persons under clause (a) to (d) including deaf-blindness in the posts identified for each disability from time to time.	1 %

- (2) If reserved posts in any point are not filled due to unavailability of Persons with Disabilities or the posts are not identified as suitable for given categories of disabilities, those posts shall be reserved for subsequent roster Groups and all reserved posts shall be filled up by persons with disabilities from next roster Groups accordingly.

- (3) Appointing Authorities shall maintain separate model rosters register for each Group A, B, C and D posts being filled by direct recruitments.
- (4) Persons with disabilities selected on their own merit without any relaxed standards along with other candidates, shall not occupy reserve roster point.

12. Relaxations, Exemption and Concessions.

The relaxation, exemption and concessions which have been granted to Persons with disabilities are given below namely:-

(1) Age relaxation.

The relaxation of upper age limit prescribed in Rule 3 of the Odisha Civil Service (Fixation of Upper Age Limit) Rules, 1989 for the category of physically handicapped person is 10 years and the same provision shall apply to the Person with Disability for relaxation of upper age limit for entry into Government Service.

(2) Exemption from Typing or Computer qualification.

The persons with disabilities, who are otherwise qualified to hold clerical posts and who are certified by the Certifying Authority or by a civil surgeon where there is no such board, as being unable to type due to permanent physical disability (Locomotor disabilities, cerebral palsy) which prevent them from typing, shall be exempted from the typing test (typing on computer, or typewriter machine) or computer qualification.

(3) Relaxed standard of selection.

The persons with disabilities shall be provided relaxations in standards in the case of direct recruitment as is being provided to candidates of SC or ST by the Government of Odisha.

(4) Guidelines for conducting written examination.

The facility of Scribe/Reader/Lab Assistant should be allowed to any person who has disability of 40% or more if so desired by the person for all regular and competitive examinations. The candidate should have the discretion of opting for his own scribe/reader / laboratory assistant on request to the Examination Body for the same.

- (i) The examining body may also identify the scribe/ reader/ laboratory assistant to make panels at the District/Division/State level as per the requirements of the examination. In such instances the candidates should be allowed to meet the scribe a day before the examination so that the candidates get a chance to check and verify whether the scribe is suitable for him or not. Criteria like educational qualification, marks scored, age or other such restrictions for the scribe or reader or laboratory assistant should not be fixed. But it should be ensured that a scribe should not possess same/ similar/ higher qualification and must not also be from same discipline for any competitive examination.
- (ii) The invigilation system should be strengthened, so that the candidates using scribe/ reader/ laboratory assistant do not indulge in malpractices like copying and cheating during the examination. There should also be flexibility in accommodating any change in scribe or reader or laboratory assistant in case of emergency. The candidates should also be allowed to take more than one scribe or reader for writing different papers especially for languages.

- (iii) Persons with disabilities should be given the option of choosing the mode for taking the examinations i.e. in Braille or in the computer or in large print or even by recording the answers as the examining bodies can easily make use of technology to convert question paper in large prints, e-text or Braille and can also convert Braille text in English or regional languages. The candidates should be allowed to check the computer system one day in advance so that the problems, if any, in the software/system could be rectified.
- (iv) The procedure of availing the facility of scribe should be simplified and the necessary details should be recorded at the time of filling up of the forms. Thereafter, the examining body should ensure availability of question papers in the format opted by the candidate as well as suitable seating arrangement for appearing in the examination.
- (v) Compensatory time allowed should not be less than 20 minutes per hour of examination for persons who are making use of scribe/ reader/ laboratory assistant. All the candidates with disability not availing the facility of scribe may be allowed additional time of minimum of one hour for examination of 3 hours duration which could further be increased on case to case basis.
- (vi) The candidates should be allowed in the examination to use assistive devices like talking calculator (in cases where calculators are allowed for examinations), tailor frame, Braille slate, abacus, geometry kit, Braille measuring tape and augmentative communication devices like communication chart and electronic devices.
- (vii) Proper seating arrangement (preferably on the ground floor) with barrier free access should be made prior to the commencement of examination to avoid confusion or distraction during the day of the exam. The time of giving the question papers should be marked accurately and timely supply of supplementary papers should be ensured.
- (viii) The examining body should also provide reading material in Braille or e-text or on computers having suitable screen reading software for open book examination. Similarly online examination should be in accessible format i.e. websites, question papers and all other study material should be accessible as per the international standards laid down in this regard. Alternative objective questions in lieu of descriptive questions should be provided for Hearing-Impaired persons, in addition to the existing policy of giving alternative questions in lieu of questions requiring visual inputs such as picture, graphics, maps, etc., for persons with Visual Impairment.
- (ix) The officials (supervisors, invigilators) handling the written examination must be made aware that any oral instruction given during the written/skill test must be communicated to hearing impaired persons in writing. Pursuant to requirement of provisions contained under clause (a) of section 29, written exam of hearing impaired candidates shall be conducted in the local language which they have learnt and options may be asked in application form itself.

(5) Exemption from Examination fee.

Persons with disabilities shall be exempted or treated at par with SC/ST candidates on payment of application fee and examination fee in respect of competitive examination. This exemption shall be available for both reserved and unreserved posts, if those posts are identified for persons with disabilities.

13. Pre recruitment/skill up-gradation Training.

The Recruiting Agencies or the Appointing Authorities shall ensure pre-recruitment skill up-gradation training for candidates with disabilities, who have applied to the posts, to enhance their knowledge and skills, so that they can have better opportunities to get selected.

14. Relaxation on ban orders.

Provision of ban orders regarding filling up vacant posts will not be applicable in the case of reserved vacancies to be filled by persons with disabilities to the extent of the quota reserved for them.

15. Nodal Officer.

- (1) Each Department of the Government shall nominate a State Nodal Officer not below the rank of a Joint Secretary. There shall be District and Block Level Nodal Officers, not below the rank of Deputy Secretary and Under Secretary respectively. They will conduct roster verification of each office, at least once annually.
- (2) Block level Nodal Officer will submit office wise compliance report to the District Nodal Officer and District Nodal Officer will send office wise compliance report to State Nodal Officer of the concerned department in the form prescribed by Government.
- (3) The State Nodal Officers of concerned Department will send compiled report to Social Security and Empowerment of Persons with Disabilities Department with their recommendation and suggestions, if any on the roster verification.
- (4) In case any Nodal Officer finds any discrepancies, lapse, negligence in implementation of Government instruction related to persons with disabilities, it should be brought to the notice of the appointing authorities under intimation to State Nodal Officer of concerned Department and Social Security and Empowerment of Persons with Disabilities Department immediately.

16. Posting or transfer of employees with disabilities.

The employees with disabilities should preferably be posted or transferred near to their native places or at least in their native districts subject to administrative constraints. The Government employees having children or spouse with disabilities should be posted or transferred to such places where facilities of health or education or vocational training are available. Persons with Disabilities may be given posting according to their choice, if possible.

17. Notification of Vacancy for Persons with Disabilities.

Every employer shall notify the vacancies reserved for person with disabilities to Special Employment Exchange for Physically Handicapped, National Career Service Centre for Differently Aabled, Government of India, Pokhariput, P. O. Khandagiri, Bhubaneswar – 751030 and State Institute of Disability Rehabilitation, Capital Hospital Campus, Unit-6, Bhubaneswar- 751001.

18. Reservation in contractual or out-source posts.

The provision contained in this resolution is also applicable for the posts identified by the Government for Persons with Disabilities from time to time where the vacancy is proposed to be filled up by way of contractual or out-source appointment.

19. Discretionary allotment of General pool Residential Accommodation (GPRA).

Estate officers of various Departments shall mark 4% quota for residential accommodation to persons with disabilities. Discretionary allotment of General Pool Residential Accommodation shall also be made to employees with disabilities as decided by the Government from time to time, which will be out of turn allotment. The employees who are having spouse or children with disabilities should also be considered for discretionary allotment of GPRA, in case employees with disabilities are not available.

20. Non-Handicapping Worksites or Places or Machines.

The appointing authorities should ensure barrier free, non-handicapping worksites, places, machines, etc. by making adaptations, modifications and barrier free environment, suitable for persons with disabilities.

21. Reservation Entitlements.

No reservation entitlements including recruitment and other benefits for persons with disabilities shall be claimed by any person if he or she recovers from the disablement condition. Similarly, if any person in employment at any point of time acquires disability shall be eligible for benefits subject to production of disability certificate from the competent Certifying Authority.

22. Miscellaneous.

- (a) The posts identified for Persons with Disabilities earlier shall also be deemed to be identified for Persons with Disabilities.
- (b) The Government establishment or Employers shall ensure that all type of required Software, Hardware, Assistive devices, etc., are provided to Persons with Disabilities who are appointed or working in their establishments to enable them to perform the assigned jobs.
- (c) If any Person with Disability is already working in any Government post, that post shall be deemed to be identified for Persons with Disabilities.
- (d) If any base level post has been identified for Persons with Disabilities, the promotional post of the cadre will also be deemed to be identified for Persons with Disabilities.

23. Submission of Annual Report.

All Departments of the Government shall send consolidated status reports to Social Security and Empowerment of Persons with Disabilities Department by 31st March every year in respect of all attached and subordinate offices under their control.

ORDER

Ordered that this Resolution be published in the Extraordinary Issue of *Odisha Gazette* for information of General Public. Ordered also that copies of the Resolution be forwarded to All Departments of Government/ All Heads of Departments/ All Collectors/ Registrar, Orissa High Court, Cuttack/ Registrar, Odisha Administrative Tribunal, Bhubaneswar/ Secretary, Odisha Public Service Commission/ Secretary, Odisha Staff Selection Commission, Bhubaneswar/ Secretary, Odisha Sub- ordinate Staff Selection Commission, Bhubaneswar/ Commissioner, Persons with Disabilities, Bhubaneswar.

By the order of the Governor

N. Chandra

Principal Secretary to Government

Memo No. 7141 / Bhubaneswar Dated 5th September, 2017

Copy forwarded to All Departments of Government/ All Heads of Departments/ All Collectors/ All DSSOs for information and necessary action.

Abel
05/09/17

Under Secretary to Government

Memo No. 7142 / Bhubaneswar Dated 5th September, 2017

Copy forwarded to Registrar, Orissa High Court, Cuttack/ Registrar, Odisha Administrative Tribunal, Bhubaneswar/ Secretary, Odisha Public Service Commission/ Secretary, Odisha Staff Selection Commission, Bhubaneswar/ Secretary, Odisha Sub- ordinate Staff Selection Commission, Bhubaneswar/ Commissioner, Persons with Disabilities, Bhubaneswar for information and necessary action.

Abel
05/09/17

Under Secretary to Government

Memo No. 7143 / Bhubaneswar Dated 5th September, 2017

Copy along with copy in softcopy form forwarded to Director, Printing, Stationery and Publication, Odisha, Cuttack for information with request to please publish the resolution in the extraordinary issue of the *Odisha Gazette* for information of general public. He is requested to please furnish 500 copies of the resolution to this department.

Abel
05/09/17

Under Secretary to Government

Memo No. 7144 / Bhubaneswar Dated 5th September, 2017

Copy forwarded to all sections of SSEPD Department / Employment Officer, Special Employment Exchange for Physically Handicapped/ National Career Service Centre for Differently Aabled, Government of India, Pokhariput, P. O. Khandagiri, Bhubaneswar/ General Manager, State Institute of Disability Rehabilitation, Capital Hospital Campus, Unit-6, Bhubaneswar/ Secretaries of all state level associations for persons with disabilities for information and necessary action.

Abel
05/09/17

Under Secretary to Government