

डा. कमलेश कुमार पाण्डेय
मुख्य आयुक्त
Dr. Kamlesh Kumar Pandey
Chief Commissioner



कार्यालय मुख्य आयुक्त, दिव्यांगजन
दिव्यांगजन सशक्तिकरण विभाग
सामाजिक न्याय और अधिकारिता मंत्रालय
भारत सरकार
Office of the Chief Commissioner for Persons
with Disabilities (Divyangjan)
Department of Empowerment of Persons
with Disabilities (Divyangjan)
Ministry of Social Justice and Empowerment
Govt. of India

No. 16-4/CCD/2018/

Date: 16th May, 2018

Dear Shri Joshi,

As you are aware that PwDs Act 1995 has been replaced with Rights of Persons with Disabilities Act, 2016 and the numbers of disabilities have also been increased from 7 to 21 types. The Union Government is also serious to implement the Act in its full form in all over the country. The Hon'ble Supreme Court is also monitoring the implementation of the Act within given time frame and has also issued directives for implementation of the Act in a speedy manner.

The Sections of the Act have also been increased from 74 to 102 and new provisions have also been added in the act to make it more effective and comprehensive at par with the recommendation of UNCRPD Convention of 2006 to which India was also a signatory. It is a matter of great concern that some States have not yet taken steps for framing rules and initiative for implementation of the Act in spite of repeated instructions from Central Govt and Hon'ble Supreme Court directives from time to time.

The undersigned during State Reviews & Joint Mobile Courts has observed that desired steps on ground have not been taken by respective State Governments so far except a very few.

The State Government are requested to take following steps/initiatives immediately for effective implementation of the Act in the State to avoid unnecessary comments criticism from Hon'ble Supreme Court in near future. The steps needs to be taken immediately are as under:

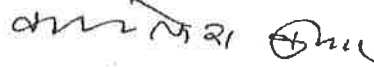
1. Creation of Separate Deptt of Disability affairs in the State/UTs headed by Secretary level officer.
2. Appointment of full time State Commissioner for Disabilities in the State in accordance with terms conditions as prescribed in the Act.
3. Strengthening of office of State Commissioner for Disabilities. The office of State Commissioners should be provided with approved sanctioned strength of 14 Nos of posts which includes Deputy Commissioner, Asstt commissioner with supporting Secretariat support staff.
4. Filling up of the Backlog vacancies reserved for PwDs through Special Recruitment Drive to comply with the directives at Hon'ble Supreme Court and Central Govt/DoPT.
5. Issue of Disability Certificates to all Divyangjan through special camps / Mobile teams in the State in remote backward areas where medical facilities are negligible.
6. Setting up of State level training institute to prepare special educators to educate PwDs in schools.
7. Setting up of Deptt. Of Disability Studies in State Universities for preparing professionals for imparting Higher education in the field of disabilities.
8. Setting up of Special Employment Exchanges at Commissionerate Level in the State.
9. Development of Sports infrastructures and coaching facilities for Divyangjan at District Level for promoting sports among Pwds/Divyangjan.
10. Formulation of State Policies for Cornea Replacement & Cochlear implant for visually impaired & Hearing Impaired Children at an early stage.
11. Constitution of State Advisory Board as per provisions under the Act at an early date.
12. Setting up of Special Courts for Divyangjan and appointment of Special Public Prosecutors at district level.
13. Allotment of 5% Quota in all State Government schemes for Divyangjan
14. Appointment of Special Educators in Primary and Middle Level Schools in the State

15. Appointment of Nodal Officer / Grievance Officer in all Departments of State Govt. to look into grievances of Divyangjan in the concerned departments.
16. Scholarship schemes for Divyangjan in the state on pattern of SC/ST students.
17. Creation of Barrier-free environment in State Govt and Public dealing offices/buildings.
18. Setting up of Vocational Training Institutes in States for promoting Skill Development and self-employment for Divyangjan.
19. Setting up/ promoting grievance Redressal monitoring System in the State.
20. Setting up of Early Intervention Centres in the State at district level.
21. Awareness Generation through media, publicity, workshop & Seminars in State to sensitize Public about needs, rights safeguards & privileges of Divyangjan conferred by Constitution of India.
22. Special Drive to Issue UDID Cards for Divyangjan in the State.
23. Monitoring of Programmes, NGO's & Special Schools for Divyangjan.
24. Every establishment shall notify equal opportunity policy detailing measures proposed to be taken by it in pursuance of the provisions of this Chapter in the manner as may be prescribed by the Central Government
25. Every Government establishment shall appoint a Grievance Redressal Officer for the purpose of section 19 and shall inform the Chief Commissioner or the State Commissioner, as the case may be, about the appointment of such officer.

I hope that you will take initiative and issue necessary directives for speedy implementation of the Rights of Persons with Disabilities Act, 2016 in your state.

With regards,

Yours sincerely,


(Dr. Kamlesh Kumar Panday)

All Chief Secretaries of States