



UNITED NATIONS  
INDIA



# Recommendations on Draft National Policy for Persons with Disabilities

The Department of Empowerment of Persons with Disabilities (DEPwD) has presented an extensive document with many areas concerning persons with disabilities, this document needs further strengthening to be an effective policy document.

1. The policy document does not further or implement the rights enshrined in The Rights of Persons With Disabilities (RPwD) Act, 2016. It needs to be more ambitious in its vision while providing specifics at the same time.
2. The rights-based approach to disability in the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and RPwD can be strengthened by focusing on the rights of persons with disabilities. The policy mentions the “needs” of persons with disabilities in many paragraphs – it may be appropriate to replace the term “needs” with “rights” to affirm the rights-based (rather than charity) approach to disability that the policy intends to instil.
3. The policy should have clear outlines of the budgetary needs and allocation to implement what is recommended.
4. There should be a clear monitoring, evaluation and accountability mechanism in place to ensure this policy brings about actual change in lives of persons with disabilities.
5. There are a few ministries and departments mentioned in the policy, instead each ministry should have a disability desk so as to ensure effective inclusion at each level and cross departmental cooperation when needed. This would further support better coordination and alignment across different policies by different Ministries, through the inter-ministerial council / Committee of Cabinet Secretaries set-up.

The policy also must address the following:

- Find solutions to the differences and contradictions in the various disability laws of the country and harmonising of other laws and policies in line with UNCRPD, RPwD and the new disability policy. For example, the use of the term “mental retardation” under the RPwD Act, 2016 has been replaced with “Intellectual Disability” however, the National Trust for the Welfare of Persons with Autism,

Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 continues to use the term. In the context of education, the policy can serve as a good opportunity to further operationalize definitions of specific learning disabilities that are enlisted in the RPwD Act, 2016 and provide targeted guidelines for addressing each.

- Make specific inclusions and provisions for women, gender marginalised people with disabilities and children with disabilities throughout the policy because of their heightened vulnerabilities.
- Inclusion of persons with high support needs throughout the policy.
- Ensure that there is an intersectional understanding of additional marginalisation based on caste, socio-economic conditions, religion are factored into the discrimination and barriers people with disabilities may face throughout their life cycle.
- The language and concepts used in the chapters are not in sync with the rights based concepts and language promulgated by UNCRPD. The policy should be changed from a welfarist language and approach to a rights based one. All language around “problems” and “special needs” must be replaced with persons with disabilities and children with disabilities where applicable. There are also words used such as ‘handling PwDs’ which may be considered insensitive and can be exchange with words such as ‘interact’, ‘care’, etc.
- Ensure that redressal mechanisms are present for persons with disabilities to share their concerns and barriers from local to state to national levels.
- The policy should also encourage and make provisions for full and meaningful participation of persons with disabilities in development of plans and policies, and other forums.

## Chapter 1: Introduction

1.6 Text from policy: *“Over the years, there has been paradigm shift in understanding disability worldwide and today it is viewed as a socio-medical issue”*.

### Recommendations:

- The policy should recognize that disability inclusion is viewed as a human rights issue globally today and not as a socio-medical issue.

1.11 Text from policy: *“India is also a party to the ‘Incheon Strategy for Asia Pacific Decade for PwDs: 2013-2022’...”*.

### Recommendations:

- Suggest rephrasing as *“India, alongside other Asia-Pacific countries, also adopted the ‘Incheon Strategy to “Make the Right Real” for Persons with Disabilities in Asia and the Pacific’, [...]*”. Please note that the correct name of the strategy is *‘Incheon Strategy to “Make the Right Real” for Persons with Disabilities in Asia and the Pacific’* [also refer to point 1.17 in the Draft Policy]

- Suggest to add the following sentence at the end of paragraph 1.11: *"Further, in 2017, India adopted 'The Beijing Declaration, including the Action Plan to Accelerate the Implementation of the Incheon Strategy', which provides strategic guidance on disability-inclusive development, in connection with the Incheon Strategy goals."*

### **1.17 Recommendations**

- Please bring forward the 3<sup>rd</sup> last point of this clause *"ensuring the rights of PwDs"* to the very 1<sup>st</sup> point, as this is the core purpose of the policy.
- Suggest adding an additional point *"Inculcating a whole-of-society approach to promote the rights of persons with disabilities and to fully mainstream disability inclusion in the public, private and civil society sectors"*.

1.17 Text from policy: *"Changing the mindset and perception of the members of the society so as to have proper understanding" of the problems of the persons with disabilities.*

#### **Recommendations:**

- Language used should be in line with UNCRPD and RPwD. People with disabilities face barriers not "problems". The word problem here should be replaced with barriers and discriminations.

1.17 Text from policy: *Infusing self-esteem and self-confidence in the persons with disabilities themselves so that they know that their limitations can be overcome to a large extent by self-effort and a better environment.*

#### **Recommendations:**

- The language and concepts should be in line with UNCRPD. Disability is not a "limitation to be overcome". Also, this point reads as though persons with disabilities have inherent "self-esteem and self-confidence" issues that can be overcome by "self-effort", when the focus should be on the removal of barriers to participation. This point should be clarified and paraphrased to focus on (1) the right of persons with disabilities to full participation in society on an equal basis with others; and (2) the removal of barriers to participation; or the point should be entirely deleted.

1.17 Text from policy: *Creating and managing disability specific disaggregated data in each sector be it health, education, poverty alleviation, law and order, sports, culture etc.*

#### **Recommendations:**

- Ensuring that all disability specific data contains within that gender specific disaggregated data.
- Suggest including social protection and employment (labour market), alongside the other sectors listed.

## Chapter 2: Principles, vision, mission

2.2 Text from policy: *Recognizes that women and girls with disabilities are at greater risk and are prone to violence, abuse and exploitation.*

### **Recommendations:**

- Ensure that the policy recognises that women and girls with disabilities face intersectional discrimination and marginalisation in all walks of life and need to be intentionally included in programmes, systems, plans, budgets etc. At present the language only centers issues of women and girls around violence and encourages a protectionist lens over a rights based one.
- Further, suggest including other groups of persons with disabilities at greater risk of being subject to violence, abuse and exploitation, including, inter alia, children with disabilities, older persons with disabilities, persons with psychosocial disabilities, persons with intellectual disabilities, and persons with multiple disabilities.

2.2 Text from policy: *Recognizes the need for developing mechanism to involve persons with disabilities in decision making processes at every stage of planning and policy execution.*

### **Recommendations:**

- Ensure a gender balance and inclusion and a diverse representation of people with disabilities in decision making processes in every stage of planning and policy execution.

2.2 Text from policy: *Emphasizing the use of Indian Sign Language as an effective mode of non-verbal communication in line with the provisions of UNCRPD.*

### **Recommendations:**

- Indian Sign Language should be recognised as a language and not as a mode of non-verbal communication

2.3 Text from the policy: *This policy envisions to build an inclusive society in which equal opportunities are provided for the growth and development of persons with disabilities so that they can lead productive, safe and dignified lives.*

### **Recommendations:**

- While we welcome this vision, there is an opportunity to use this policy to outline a more ambitious vision which can get the entire country excited about the potential of disability inclusion. Instead of limiting the vision to provision of equal

opportunities for growth and development of Persons with Disabilities, this policy can seek to empower them with training, tools and resources to become net value creators.

- Alternatively, just as the government aims to make India one of the three largest economies, it can use this policy to make India one of the top three inclusive countries for persons with disabilities.
- Yet another vision could take the shape of making India the largest exporter or global hub of assistive/accessible products and services. This could include, adapted vehicles, softwares, etc. An aim to become the largest exporter of accessible/assistive products and services will attract investments in the country, make it more inclusive, and also help in benefiting persons with disabilities across the globe. In turn, this would also add to India's soft power.

2.4 Text from policy: *Strengthening existing schemes and programmes for physical, education and economic empowerment.*

**Recommendations:**

- Ensure that existing schemes around poverty, food security, health including reproductive health and family planning, disaster risk reduction, climate justice and violence response are strengthened

2.4 Text from the policy: *Creating a national database of PwDs and linking thereof with programme delivery mechanism*

**Recommendations:**

- Ensure that the database is holistic and disaggregated based on gender and disability

## **Chapter 3: Prevention and Early Intervention**

3.1 Text from policy: *Prevention is better than cure. The Rights of Persons with Disabilities Act, 2016 emphasises prevention of disability through appropriate awareness measures, investigation, research and mother and childcare. Some of the disabilities such as disability caused due to blood disorders, neurological conditions could be prevented by sensitising the public about the causes of its occurrence.*

**Overall recommendations:**

- Using a phrase like “prevention is better than cure” to begin a chapter on prevention and early intervention assumes that “cure” is the only positive step forward for persons with disabilities. Within this sentence is also an inherent understanding that it is possible to “cure” all disabilities, which is not the case. Suggest to delete this phrase.

- Additionally linking prevention to early intervention and being unclear about the disabilities it covers leans towards a eugenics approach to disabilities, especially while concerning developmental and intellectual disabilities. When a policy meant to uphold the rights of people with disabilities speaks of "interventions" around prevention, it creates an environment and a reinforcement of already existing stigma around disabilities resulting in forced abortions and procedures limiting and violating the choices of women with disabilities and other women who might have disabled children.
- Therefore it is essential that a policy on people with disabilities focus on early intervention as a stand-alone chapter as early intervention is key for many disabilities. Therefore, we strongly recommend that prevention must be delineated from early intervention.
- Specifically in relation to education, there is no delineation on identification and intervention for learning disabilities, which are different from intellectual disability. For example, use of tools such as universal screening mechanisms by teachers not only serve as an early identification and intervention practice but also aid in monitoring of learning progress as indicated in Chapter 3, clause 17(a) of the RPwD Act, 2016 as well as support the implementation of National Education Policy (NEP) 2020, which also calls for training teachers in identifying learning disabilities to ensure early interventions for remediation.
- Within the ambit of prevention, we must focus on addressing malnutrition and enhance the linkage of pregnancy and early childhood nutrition schemes as a response to the prevalent connections we see between poverty and disability in the country. Nutrition schemes and programmes which are vital in addressing preventable disabilities like preventable blindness, ensuring vaccine coverage across the country to continue delivery of polio vaccine and provide nutrition rich diets to mothers, with and without disabilities to reduce the numbers of secondary impairments that could be prevented. This can be addressed as a whole within the health chapter. WASH programmes, accessible health information, rehabilitation services, para medical services, disability specific health care programs, trained personal/ health attendant services can be focussed under prevention which will prevent a person with disability from acquiring secondary disability as well as any other common health issues, but help to maintain ones disability.
- Within the realm of early intervention, ensure that all data around early intervention being provided and applicable for children with disabilities is disaggregated based on disabilities and gender to ensure the more marginalised within this are not left behind.
- Ensure mandatory training of health workers from rural to urban areas to support in identifying the needs of children with disabilities and supporting various modalities of early interventions, not restricted to but including access to Indian Sign Language, non-verbal communication modes like Augmentative and Alternative Communication, braille devices, physiotherapy etc.
- It would be important for the policy to detail measures on how Early Intervention Centres (EICs) and their staff will support children with disabilities living in

geographically remote and hard-to-reach areas, including through the establishment of community-level EICs and one-stop shops.

## Chapter 4: Assessment and Certification

### Overall recommendations:

- Ensuring that leprosy cured is mentioned as a specific category under disability certification. At present, people end up getting their certificates either under physical, locomotor or visual disability. Whereas they should be considered as those with multiple disabilities due to the nerve and sensation loss damage in leprosy which can also cause physical and visual disabilities. Similarly persons with multiple sclerosis and Parkinson's disease (under Chronic Neurological Conditions) should be acknowledged as multiple disabilities due to the multiple issues including invisible deficits experienced by them.
- Expand the scope of certification for UDID for people with psycho-social disabilities/ mental illness. At present only government recognised psychiatrists have the authority to certify someone. Exceptions can be made in cases of psychosocial disabilities as the stigma and prejudice of these disabilities are high and a person with disabilities must not have to prove their disability and relive their trauma to receive certification. Hence, private doctors should be allowed to have some level of certification, especially because doctor-patient rapport where such conditions are concerned is an important factor.
- Clarify the certification process with regards to multiple disabilities, especially for deafblindness and make the process easier for people with deafblindness to access certifications. Ensure specific guidelines to assess invisible disabilities and streamlined process of certification for newly added disabilities like Chronic Neurological Conditions and blood disorders including definite attendance of trained specialist doctors (Neurologist/ hematologist etc).
- Ensure a strict timeline for disability certification for issuance of the certification and delivery to the disabled person.
- Disability certification process to be streamlined and implemented in alignment with RPwD Act 2016. Certification process to be available in a range of accessible modalities like online, and at-home along with the in-person process to make acquiring a certificate and accessing subsequent health schemes and services accessible.
- Disability certification status to be linked with UDID and both to be acceptable.
- The assessment and determination of disability should adopt a socio-economic approach and not just a medical approach. The barriers to participation in society experienced by persons with disabilities and their support needs should also be considered as part of disability assessment.

- The process should inform the support and social protection required by persons with disabilities across the life cycle.
- Ensure the process is as close to the community as possible and involve organizations of persons with disabilities (OPDs) and community workers in the process of certification and assessment and the medical team should be involved only for endorsement purposes. This will ensure a comprehensive assessment about the functional limitations and the support services required by the individual. This can also inform policy level decisions. There are many low and middle income countries that offer insight into this and the government can learn from such best practices.
- Ensure that displaced populations and refugees are able to access the UDID process and documentation barriers, if any, for registration of disabled refugees should be removed so that they can also have access to the portal.

## Chapter 5: Education

### Overall recommendations:

- Clearly lay out guidelines around building safeguards/schemes/incentives to include adults with disabilities within the higher education system in India. The scope at present remains limited to children with disabilities in general. The scope of the higher education system as mentioned in RPwD Act 2016 must include colleges, universities, open universities and distance education programmes as well.
- Mandate educational settings (from schools to higher education) to make entrance exams, and admission processes completely accessible to people with diverse disabilities by releasing these forms and processes in accessible formats.
- Ensure implementation and access to affirmative action processes in higher education as well to increase enrollment of people with disabilities, especially women and gender marginalised people with disabilities.
- Concentrate efforts to identify and support drop outs or students with disabilities who are out of school with emphasis on vulnerable groups like migrant labourers' children, marginalised genders, minority religions, nomadic communities. Ensure their equal access to quality education while providing support through devices (tablets, laptops, mobiles at subsidised rates or free) as well as sufficient and thorough training to effectively use the devices to enhance remote learning.
- The quality of and accessibility to education must be equal irrespective of whether it is special schools, integrated/mainstream schools, home-schooling systems and/or other structures where education is imparted for children with disabilities.

- This chapter should articulate that a core goal of inclusive education is to integrate students with disabilities into the mainstream education system, with support provided by the government to cater to their learning needs. The incorporation of Socio-emotional Learning (SEL) as mentioned in the NEP 2020 can help improve inclusiveness in schools and classrooms to assist in holistic development of learners.
- The policy could consider providing support services for people with disabilities who attend mainstream institutions e.g., hiring of teaching assistants, provision of learning aids etc.
- Universal screening can be used as a tool to offer initial diagnosis and design learning plans for students with disabilities by teachers trained to be part of the inclusive education system.
- Ensure access to more centers for easy certification of disability to benefit students seeking admission to higher education including medicine.

Text in the policy: *At present the policy does not address the specific issues of girls and women with disabilities.*

**Recommendations:**

- Ensure that schools and colleges identify and reduce dropouts among girls with disabilities who dropped out of schools especially due to remote or online education which was particularly hard for girls with disabilities (overall)
- Ensure physical infrastructural modifications to provide girls with disabilities accessible toilets and other menstrual health management in schools to ensure reduction in drop-outs (to be added to 5.7)
- Ensure that girls with disabilities are provided the option of counselling services for themselves and the family to reduce dropouts among girl students.

5.2 Text in the policy: *The objective of education, as per the said policy was to integrate physically and mentally disabled people with the general community as equal partners, to prepare them for normal growth and to enable them to face life with courage and confidence.*

**Recommendations:**

- Language should be in line with the UNCRPD. Words like “mentally disabled” and “normal” can thus not be used.

5.4 Text in the policy: *In the year 2001, the Government launched the Sarva Shiksha Abhiyan (SSA) with the objective of providing uninterrupted good quality education to children between the ages of 6-14 years, wherein, the education of children with special needs was an important component. The SSA adopted a zero rejection policy, implying that no child with special needs could be neglected, nor denied enrolment on the basis of disability concerns.*

**Recommendations:**

- All language in the policy document must be in compliance with UNCRPD and RPwD legislation which uses people with disabilities and children with disabilities. Language around ‘special needs’ needs to be replaced with ‘needs of children with disabilities’.

5.5 Text in the policy: *In 2005, the Government launched the National Action Plan for inclusion of children and youth with disabilities in education to ensure that no child is denied education in mainstream education. It also provides for home-based learning for persons with severe, multiple and intellectual disabilities.*

**Recommendations:**

- The clause must remove the term “severe” and replace it with persons with high support needs.

5.9 Text in the policy: *Many children with disabilities who cannot join inclusive education will continue to get education services from special schools or through home-based learning system. The ultimate objective of special schools/home based learning is to prepare children with disabilities to join the inclusive education.*

**Recommendation:**

- Explicitly mention that standards of schooling to be maintained across mediums especially with regards to home-based learning (ref. NEP 2022 which calls for developing guidelines and standards for home-based learning and regular audits for checking efficiency and effectiveness of such programmes) for persons with multiple and intellectual disabilities.
- Set up resource centers with special educators to support educational needs of home-based learners and assist parents/guardians in achieving high-quality home-schooling

5.9 Text in the policy: *Disability specific course curriculum and evaluation system shall be developed.*

**Recommendation:**

- The ultimate goal should be to develop curriculum, pedagogy and assessment systems that are flexible, inclusive, and accessible to all learners. The CRPD Committee encourages State parties to apply the concept of Universal Design for Learning (UDL) and develop curricula that are “conceived, designed and applied to meet and adjust to the requirements of every student” (<https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-4-article-24-right-inclusive>).
- Therefore, suggest revising the current sentence to read, “*Disability specific course curriculum and evaluation systems, including for teacher education, shall be developed to cater to the educational needs of children with disabilities*”

*who are yet not able to enter the mainstream education system. Existing curriculum, pedagogy and assessment systems of mainstream education to be enhanced to integrate the concept of universal design for learning to enable these systems are flexible, inclusive and accessible to all learners.”*

5.9 Text in the policy: *Specific and adequate financial allocation in the education budgets should be made at the Central and State level. Such allocations should take care of the needs of aids and assistive devices including learning tools such as smartphones, laptops, etc to access digital education.*

**Recommendations:**

- Incentives must be provided to individuals and groups who are invested in creating teaching and learning tools in a range of formats and assistive technology locally that addresses the specific needs of children with disabilities in low resource settings.
- Specific budgetary allocation is mandated for institutions to make all the resources or teaching and learning tools, and books, accessible across disabilities and in multiple formats like braille, accessible pdfs, Indian sign language, easy to read or plain language and text only formats.
- School funding formulas should also consider the proportion of children with disabilities as a criterion for resource allocation

Text in the policy: *At present the policy does not address the specific concerns of teachers with disabilities.*

**Recommendations:**

- Ensure equal participation in lesson planning and other aspects of teaching in both the special education system and the integrated education system for teachers with disabilities.
- Provide adequate budget and ensure all communication, teaching-learning materials, evaluating systems within schools and other institutions remain accessible to teachers across disabilities such as providing screen reader friendly documents, assistants as support in both remote and in-person learning for evaluating assignments and exams and so on.

5.7 Text in the policy: *Training of professionals, teachers and staff to support inclusive education at all levels of education.*

5.9 Text in the policy: *Disability specific course curriculum and evaluation system shall be developed.*

**Recommendations:**

- Disability-specific curriculum should be prepared, adapted, and circulated amongst integrated and special educational institutions. Educators should be

trained to impart the curriculum and should also be sensitised so that they are able to deliver the curriculum in an inclusive manner.

- Ensure an increased training of sign language interpreters to improve the existing numbers of interpreters and ensure they are available to deaf children and adults who are entering higher education institutions.
- Ensure that assessment methods are adapted to the needs and profiles of students with disabilities.
- Ensure that curriculum and other policy levers are designed keeping the universal design principles to allow for sufficient adaptations as per the need of each child
- Train professionals and teachers in using tools such as universal screening to offer initial diagnosis and design learning plans for students with disabilities. Ensure that both pre- and in-service teachers are trained to support inclusion in areas of curriculum, pedagogy, and assessment.

*5.9 Text in the policy: Accessible e-content of all course curriculum and reference book material will be developed. Demo videos with sign language interpretation and audio description will be made available to make the learning process accessible. All the educational institutions will have an accessible campus including an accessible library and classrooms, toilets, auditoriums, etc.*

#### **Recommendations:**

- All e-learning platforms must comply with the Web Accessibility Guidelines from the perspectives of both learner and instructor. Teaching staff with disabilities should have access to accessible training materials or personal assistance where requested to organise and deliver their teaching.
- All online books, reference journals and any other reading-teaching material provided must be made available in multiple accessible formats including text only, in Indian Sign Language, with audio descriptions of images, captions in videos, accessible to braille devices and screen readers among others.
- Ensure equal access to quality education while providing support through devices (tablets, laptops, mobiles at subsidised rates or free) as well as sufficient and thorough training to effectively use the devices to enhance remote learning.

*Text in the policy: At present children with high support needs, or those who have underrepresented or stigmatised disabilities like psychosocial disabilities, developmental disabilities and intellectual disabilities are not included.*

#### **Recommendations:**

- Provide care and support to children with high support needs, or those who have underrepresented or stigmatised disabilities to ensure no reduction in opportunities for overall development because of the stigma associated with diagnosis and treatment of the condition.
- Additional accommodations and relaxation of strict timelines with regards to age must be provided to individuals, both children and adults, belonging to the above-mentioned disabilities to ensure completion of their education.

Text in the policy: *At the moment, comprehensive sexuality education is not included*

**Recommendations:**

- Provide accessible and age appropriate comprehensive sexuality education to children with disabilities across schools and ages. The information must be provided in multiple formats including braille and tactile materials, in Indian sign language, through images and easy to read and understand texts among more.
- Teachers must also be trained to address the existing stigma around sexuality education and to support in providing access to the information when necessary.

## **Chapter 6: Health**

This chapter repeats all the provisions under the RPwD Act 2016 without providing further more specific guidance on action to achieve universal health coverage.

**General recommendations:**

- Ensure that the chapter specifically mentions and caters to the needs of women and gender marginalised persons with disabilities.
- Ensure a broader coverage in terms of sexual and reproductive health, and maternal health services.
- Design disability specific sensitisation programmes for doctors and other healthcare staff (nurses, ward boys, paramedic staff, chemist, security staff, admin staff) covering all aspects of a medical experience (appointment booking, locating the doctor, history taking, physical examination, non-invasive and invasive tests, medication prescriptions, communication during surgeries/ child birth etc.). These programmes must be mandatory in nature and with frequent refresher courses.
- Ensure extensive training on the concept of consent and shared decision making in the disability context, and informed consent should be patiently and consistently sought during all medical procedures especially for underrepresented or stigmatised disabilities like developmental, intellectual, and psychosocial disabilities.

- Create mandatory help desks dedicated for persons with disabilities in all hospitals, and train and equip staff to deal with cross disability concerns.
- Provide training with regards to recognising violence, recording experiences, providing medical support to victim-survivors of sexual assault must include guidelines laid out in 'Guidelines and Protocols: Medico-legal care for survivors/victims of Sexual Violence' for persons with disabilities.
- Must include the needs of those with disabilities newly added to RPwD Act 2016 like acid attack survivors or those living with blood disorders / chronic neurological conditions.
- Mandate essential periodic audits of health facilities and services as part of monitoring mechanisms. Social audit of all health policies & programs under MoHFW should be mandated.
- Emphasise community based rehabilitation which can actually enable decentralised solutions for healthcare needs for persons with disabilities.
- Adopt CBID framework for delivery, implementation and rehabilitation - to ensure systemic change. Every panchayat should have a village rehabilitation worker. The onus should be on the government to implement the framework and not civil societies or NGOs.
- Strongly recommend inclusion of disability and health within Ayushman Bharat. It may be important for the policy to clearly state that, for national health insurance policies, insurance coverage for other non-disability-related medical conditions should not be crowded out because of disability-related medical conditions and claims. Non - discriminatory Health Insurance policies to be mandated.
- Create a framework where assistive technologies and services such as Personal assistance, Peer counseling & Assistive devices can be included within Universal Health Coverage under MoHFW.
- Specifically include disability and disabled people's needs in all WASH initiatives.
- Ensure NFHS provides disability disaggregated data.
- Ensure inclusion of women with disabilities in health schemes like Janani Suraksha Yojna and provide transparent data on how many women across disabilities were covered/ supported.
- Include provisions catering to the health needs of children with disabilities.
- Cross link access to health care during a disaster situation or emergency pandemic response within this chapter and the chapter on disaster risk reduction as well.
- Mandate all health helplines set up by state and non-state actors to be accessible across disabilities in urban and rural areas.
- Accessibility needs to be mentioned and included throughout. In terms of accessible transportation, easy access to health services needs to be ensured.

- Health awareness and educational material should be converted into braille, AV and sign languages so that all persons with disabilities are aware of these issues and are able to access services when they need it.
- Effective inclusion of all persons with disabilities in PM-ABJAY without any socio economic ceiling should be ensured.
- Focussed telemedicine services for persons with disabilities to be enabled with accessible features.
- Timeline & monitoring mechanism should be enforced for making healthcare systems & services accessible.
- Door step Rehabilitation and Palliative care services to be made available
- Quality health care during COVID pandemic & emergencies to be prioritised. Accessible COVID care centres & vaccination programs must be ensured.
- Inclusion focal point should be assigned in Health Ministry and departments

6.9 Text from policy: *Union Ministry of Health and Family Welfare being the nodal Ministry on the health issues implements mission mode project for universal health coverage which is inclusive of PwDs. This inter-alia includes National Health Mission, National Mental Health Programme etc. However, the coverage of PwDs under the programme has not been optimized.*

**Recommendations:**

- Lay out the steps to mandate inclusion in such programmes.
- Recommend collection of disaggregated data to know the current situation and provide further evidence on the actions taken to cover persons with disabilities in such schemes.

6.10 Text from policy: *The Rights of Persons with Disabilities Act, 2016 mandates the Government to ensure that the lower income group of persons with disabilities should have access to free healthcare services near their community especially in rural areas. It also mandates priority in attending to PwDs for their treatment in healthcare institutions besides mandating accessible healthcare facilities. It also provides for appropriate reproductive healthcare services for PwDs and prohibits any medical procedure on PwDs leading to infertility. It also lays thrust on raising awareness among PwDs and community towards their reproductive rights.*

**Recommendation:**

- Should specifically mention girls and women with disabilities since data shows that they are the ones whose reproductive rights are most violated.
- Specifically address the forced sterilization or forced procedures conducted on women and girls with disabilities
- Mention pregnancy and post-natal care, access to abortion within reproductive rights.

- Lay out steps to achieve the RPwD legislation instead of mentioning the clauses of the act.
- Make suggestions of punitive actions for violations of these clauses.

6.12 Text in the policy: *The Government has launched Ayushman Bharat – Pradhan Mantri Jan Arogya Yojna (AB-PMJAY) which aims to cover 500 million persons, approximately 100 million families with an annual insurance coverage of Rs. 5 lakh per family. This programme is being implemented through a network of hospitals spread across almost every district of the country. As of now, it is available to all citizens who are included under socio economic caste census. Therefore, universal coverage of all PwDs within the ambit of census seems to be a distant objective.*

**Recommendations:**

- Provide data of how many persons with disabilities are currently included in this policy to guide further steps.
- Ensure coverage offered to this group be reflective of the health impact and needs of persons with disabilities and not just uniform as for all.

6.13 Text from policy: *With a view to promote health among persons with disabilities, the policy mandates the following:-  
A targeted mission should be launched to ensure PwDs get health services that are accessible and affordable.*

**Recommendations:**

- Must strictly mention timelines for implementation.
- Clearly specify the public and private sector, because presently 70% of the health services are accessed through the private sector.

6.13 Text from policy: *The National Health Programme should include disability as an important component and health infrastructure should be strengthened upto PHC/CHC/Health and Wellness Centers so as to enable these healthcare institutions at sub district/block/village level to cater to the health and rehabilitation needs of PwDs in the community.*

**Recommendations:**

- Provide more details to explain the word ‘strengthened’ here.
- Lay out all mandates like making the infrastructure accessible, health professionals at all levels to be trained and sensitised, aids and appliances made available and digital infrastructure from testing to reports to prescriptions to websites to follow web accessibility guidelines.
- Ensure clear timelines and recommend specific budgetary allocations for the same.

6.13 Text from policy: *M/o Health and Family Welfare needs to sensitize the state and national mental health authorities about the rights of persons with mental illness, in terms of RPwD, 2016. Further there should be close coordination between social welfare departments, state commissioners for PwDs and mental health authorities.*

**Recommendations:**

- Ensure all language is in compliance with UNCRPD and therefore must use people with psychosocial disability and not mental illness

6.13 Text from policy: *PwDs should be involved at the time of planning and developing healthcare programmes for effective outcome.*

**Recommendations:**

- Must clearly include women and other gender marginalised persons with disabilities. This needs to be specifically mentioned.
- Ensure that persons with disabilities are on all boards of medical hospitals and state and central medical authority boards.

## **Chapter 7: Employment**

7.5 Text in policy: *Despite the provisions in the RPwD Act, 2016, there are several barriers for PwDs to enter the employment market. Challenges range from lack of proper education and training, lack of financial resources, nature of the workplace and employer's perception of the ability of PwDs. Negative attitude towards employees with disabilities can result in discrimination. This negative attitude comes from negligence, ignorance, stereotyping, backlash and fear. Many employers also assume that co-workers may react negatively if PwDs are hired into the Organization.*

7.6 Text in policy: *There are also instances where PwDs often shy away from applying for certain jobs fearing social stigma. There is also perception among PwDs that they may be treated differently post entry into organisation. In the absence of an effective integration process, a conducive environment in an organization for inculcating inclusive culture will be unrealistic.*

**Recommendations:**

- Persons with disabilities must not be discriminated against at the workplace. This includes persons who are currently or who may come to be employed by the Government, private sector or in not for profit organizations. The Chief Commissioner of Disabilities must frame additional guidelines under the RPwD Act 2016 to ensure this protection and direct organizations to implement Equal Opportunity Policies (EOPs) as mandated under the Act.

- Actively hiring persons with disabilities with high support needs, or those who are underrepresented or have stigmatised disabilities like psychosocial disabilities, developmental disabilities and intellectual disabilities.
- Ensure that hiring processes are removed from bias and hiring is on par with qualifications and experience of non-disabled peers.
- Ensure non-discrimination practises around disability become part of law and policy to ensure no employment opportunities are denied on the grounds of disability.
- Ensure that policy attempts to underscore the diversity present in the community and the varied reasonable accommodations in line which employers are mandated to provide.

*7.9 Text in policy: Though the Central Government launched National Action Plan for Skill Development of PwDs since 2015-16, the campaign needs to take off on a large scale. Implementation strategy of the NAP will be revisited in consultation with PwDs and industry/corporate houses. E-platform for skilling of PwDs will also be explored. Such E-platform will be interactive in nature and will also provide counseling services in matters related to skill training.*

*The Government vocational training centres for persons with disabilities operating in the country will be a part of the vocational and skilling network for providing skill training. Efforts will be made to develop capacity in training of trainers in association with National Skill Development Corporation and Sector Skill Council for Persons with Disabilities.*

### **Recommendations:**

- Ensure all training programmes are made inclusive to persons with disabilities and their caregivers.
- Skill development programmes run by the public and private sector which are online must comply with accessibility requirements and also be designed to address barriers faced by women with disabilities in accessing trainings. Specific outreach through DPOs should be made to encourage the training of women with disabilities. Skill development programmes must provide opportunities for specific job profiles that can be performed from home e.g. remote event management and virtual personal assistance which can create great opportunities for women with disabilities.
- Skill development programmes must adapt to training persons with disabilities in a variety of professions applicable for the current job market. They must additionally also be trained in upskilling their technology skills to compete for jobs alongside their non-disabled peers.
- Emphasize that, for the successful implementation of the NAP, it is critical for the implementing government entities to foster close collaboration and coordination with and between technical and vocational education and training (TVET) institutions and the industry/corporate houses to ensure that persons

with disabilities are equipped with relevant skills demanded by the labour market.

7.9 Text in policy: *A dedicated national level employment portal for PwDs will be developed with all advanced accessible features to meet the highest standard of accessibility. This portal will have all information such as skill training available at different locations, vacancies in different industry houses including government agencies, nature of job and workplace, eligibility criteria, recruitment process, counseling services etc. This portal will serve as a one stop shop for employment opportunities for PwDs. This portal will also serve as a knowledge repository for employment of PwDs.*

### **Recommendations:**

- Ensure that people with disabilities are provided skills in digital literacy and schemes are created where they can access technological devices like mobile phones and laptops to be able to access this digital portal for employment.
- Efforts be made to reduce the prevailing technology gap and internet access among people with disabilities, especially women with disabilities to avail employment opportunities on the portal.
- Suggest adding the following sentence after the above text: *“The portal will be compliant with the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA/AAA promulgated by the World Wide Web Consortium.”*
- In addition to employment opportunities, the portal could also include government schemes promoting entrepreneurship and skills development e.g., programmes under the National Handicapped Finance Development Corporation, the National Skill Development Corporation and Sector Skill Council for Persons with Disabilities, and the Small Industries Development Bank of India (SIDBI Startup Mitra).
- Include physical centres/ one-stop shops to provide such information and services relating to the employment and entrepreneurship policies for persons with disabilities. These centres could be housed together with other disability-related services, such as with the Early Intervention Centres (see chapter 3), Common Services Centres (see chapter 4), and/or Composite Regional Centres and District Disability Rehabilitation Centres (see chapter 12).

Text in policy: *Promotions and return to work policies are at the present not discussed in the policy*

### **Recommendations:**

- Ensure that non-discrimination clauses apply to promotions within organisations, both private and government, to ensure that people with disabilities can grow in their professions to decision making positions.

- Ensure that return to work after medical leave policies exist within organisations to facilitate smooth transition for people with disabilities who need extra time off for recuperation or treatment of disabilities (eg: person cured of leprosy may need time to have his or her reactions or ulcers treated or person with psychosocial disabilities needing time off).
- Ensure that reasonable accommodations in work environments do not affect the promotions or salary hikes that people with disabilities receive at their workplace.
- The policy also should propose support to parents and caregivers for children with disabilities, this is a group that bears most of the responsibility for providing care. These could include flexible work timings to enable them to care for persons with disabilities, dedicated employment support programs, etc.

7.9 Text in policy: *Data on employment of PwDs will be available on the website of each central government Ministry/Department and updated on a quarterly basis.*

#### **Recommendations:**

- Collect disaggregated data by gender, age, type of disability, caste, religion, job market on people with disabilities across the country to facilitate active hiring in sectors where people with disabilities remain underrepresented. Data will also support upskilling and then hiring of people with disabilities, especially those belonging to stigmatized groups due to gender, caste, religion, socio-economic conditions.
- Make the employment data freely accessible to everyone so activists, disability rights organisations and state governments can take action on supporting the groups especially vulnerable to unemployment within the disability community.
- Provide the necessary data under the National Action Plan for Skill Development of persons with disabilities to show the changes in employment since 2015-2016.

7.4 Text in policy: *As regards private establishments, it is for the Government to provide incentive to private employers to promote appointment of PwDs in their organisations.*

7.5 Text in policy: *Many employers also assume that co-workers may react negatively if PwDs are hired into the Organization.*

#### **Recommendations:**

- Mandate training and capacity building of employers to remove stigma around disability and facilitate hiring of people with disabilities across sectors, especially government and quasi government organisations which have reservation for people with disabilities. The training must bring awareness to the potential of people with disabilities in employment and ensure that they are

not relegated to one cadre of workers but are hired on par to their qualifications and experience.

- Design and execute a social campaign on behalf of the government which addresses the existing stereotypes, prejudices and discrimination faced by people with disabilities and encourages upskilling and employment for people with disabilities, especially women with disabilities.
- Chief Commissioner of Persons with Disabilities and State Commissioners are responsible for ensuring that trainings are underway to support hiring of persons with disabilities.
- Conduct basic awareness trainings and campaigns to remove the general stigma around disability and build a greater understanding around lives of people with disabilities from a rights-based lens.
- Include a comprehensive sensitisation module on disability (rights, policies, appropriate behaviour, etc.) in the employee induction programme across sectors (public-private).
- Provide incentives for encouraging the private sector to employ persons with disabilities such as tax incentives for employing a certain percentage of persons with disabilities.

Text in policy: *Safety at the workplace currently not addressed in the policy*

**Recommendations:**

- Ensure safety of people with disabilities at the workplace (Eg: mapping fire exit options of wheelchair users, alarm sounds for deaf and hard of hearing persons, or in terms of non-wet floors in the bathroom to support ease in usage of bathroom for those who use crutches).
- Provide grievance redressal mechanisms to people with disabilities at the workplace to reach out in cases of bullying, workplace harassment etc.
- Support women with disabilities in actively responding to cases of sexual harassment at the workplace and provide all reasonable accommodation to pursue the case if said route is chosen by woman with disabilities.

7.9 Text in policy: *National Handicapped Finance Development Corporation implements schemes for financial assistance for skill and entrepreneur development program for persons with disabilities in the age group of 18-59 years. It also provides loans at concessional rate of interest to persons with disabilities for promoting self-employment. NHFDC will have to play a key role and will be the focal point for implementing the skill development program for PwDs.*

*NHFDC should be a part of this digital initiative for taking a lead role in facilitating startup requirement of skilled persons with disabilities. There should be a close coordination between SIDBI, NHFDC and NSDC.*

*Providing startup solutions alone to persons with disabilities may not be sufficient in promoting entrepreneurs among PwDs. It would also be important to establish a network of marketing facilities for the products of persons with disabilities. NHFDC will develop a network to facilitate marketing of products of PwDs across the country through its skill training/financing partners and establish a chain for sale of these products. Possibility of tying up with e-marketing giants will be explored to maintain continuous and uninterrupted sale of products made by PwDs.*

**Recommendations:**

- Streamline processes under NHFDC schemes to access finances and resources to be simplified to reach more people with disabilities and reduce the burden.
- Clarify and ensure transparency in the functioning and role of NHFDC in supporting people with disabilities for employment opportunities
- Ensure participation of people with disabilities, disabled people's organisations and scholars on disability in all policy making of NHFDC, SIDBI and NSDC.

## **Chapter 8: Sports and culture**

**Overall recommendations:**

- Must aim to include persons with disabilities across the country and provide adequate opportunities and access to sports and culture in the everyday and not just to compete nationally and internationally.
- Cater to sporting/cultural/recreational facilities/opportunities at the local level from grassroots to the cities including promoting inclusiveness of sports and games in schools. For instance, providing appropriate equipment for students with disabilities, and ensuring there are events for students with disabilities during sports days.
- Mandate all local public library spaces to be accessible across disabilities and provide a nurturing, learning environment for people with disabilities.
- Ensure mainstream entities like the IOA, BCCI, All India Chess Federation, Sangeet Natak Academy and so on are inclusive and work towards enhancing representation and participation of people with disabilities within their groups.
- Provide training for coaches across sports to ensure that people with disabilities receive training and support from the beginning in case of interest to pursue sporting.
- The policy should specifically spell out promotion of sports among persons with disabilities.

Text in policy: *Making cinema halls, theatres, malls, fun parks accessible for PwDs and also museums and tourist places.*

### **Recommendations:**

- Ensure cross disability accessibility in cinema halls both in terms of physical infrastructure as well as access to the content (ramps, places for wheelchair users to sit in the hall, captions on screen).
- Mandate that tourist places such as beaches become accessible across disabilities.
- Provide clear guidelines on the timelines to make cultural places accessible and the consequences in case of delay in implementation of the guidelines.
- Ensure that access to these spaces includes accessible transport and mobility facilities including public transport, intermediate public transport, personal mobility, and non-motorized transport.
- Earmark parking facilities for people with disabilities at all locations in adequate numbers.

Text in policy: *Regarding hospitality industry not included in the document.*

### **Recommendations:**

- Enhancing accessibility of the hospitality industry, especially hotel rooms, should be mandatory in order to ensure tourism can be accessible.

Text in policy: *Places of worship not mentioned in the document*

### **Recommendations:**

- Ensure equal access to places of worship for people with disabilities.

## **Chapter 9 Accessibility**

### **Overall recommendations:**

- Ensure that accessibility is addressed as a cross cutting concern across all facets of a life of a person with disability (like education, labour, gender, housing, social security, health, entertainment etc) therefore addressed within every department.
- Ensure that accessibility standards such as Web Accessibility Guidelines are adhered with regards to making digital spaces accessible, and Universal Design Principles in infrastructure to ensure access to the built environment for all including children, elderly, and persons with disabilities.
- Ensure we specifically address and focus on accessibility becoming a reality in rural and remote areas of this country where many people with disabilities live.
- Formulate an action plan with a timeline and feasible checks and balances to implement accessibility across the country. Ensure that these committees developing, implementing and monitoring the action plans have the representation and active participation of people with diverse disabilities.

- Ensure that consultations and plans on accessibility reflect the specific experiences of women and gender marginalised persons with disabilities especially concerning the linkages between safety and accessibility (for eg. carrying a wheelchair user above a flight of stairs in a public place and calling it accessible).
- Provide incentives to private players for implementing the accessibility guidelines set forth in the law.
- Ensure state governments adhere to strict timelines with regards to incorporating accessibility standards, especially in public places.
- Provide tools and resources as best practices for governments and state players to understand the diverse nature of accessibility to ensure accessibility across disabilities.
- Invest in inclusive and universal design strategies with regards to products and services in order to reduce the gap between the mainstream devices and dedicated devices and services.
- Suggest including, under ICT accessibility, policy measures to promote digital inclusion for persons with diverse disabilities, including through enhancing their digital literacy.

9.2 Text in Policy: *The concept of barrier free design dates back to 1950s at global level when its applicability was understood with respect to built environment. Slowly, other dimensions of accessibility such as transportation and ICT ecosystem were considered as part of the concept of design for all.*

**Recommendations:**

- Suggest distinguishing between “barrier-free design” and “universal design” in the discussion of the evolution of accessibility concepts.
- Suggest revising the paragraph to read: “The concept of barrier-free design dates back to 1950s at global level when its applicability was understood with respect to built environment. Barrier-free access usually refers to the efforts to remove barriers from the physical environment. Slowly, other dimensions of accessibility such as transportation and ICT ecosystem were considered as well. Thereafter, the concept of universal design was developed and widely accepted. Universal design refers to the design of products, environments, programmes and services that can be accessed and used by the broadest range of people, taking into account the physical, social and psychological needs of all users. It goes beyond barrier-free design and lays a solid foundation for building disability-inclusive societies.”

Text from the policy: *Currently references to use of technology to improve accessibility not covered in the policy.*

**Recommendations:**

- Emerging technologies may be used to identify areas requiring interventions to improve physical accessibility. For instance, drone based survey of built environment, such as roads, footpaths, rail infrastructure may be conducted to arrive at an estimate of the scale of intervention required, and prioritise physical infrastructures for accessibility improvements yielding the greatest Returns on Accessibility Interventions. Similarly, other technologies such as Geographic Information System (GIS) mapping may be used to this end. These tools may also be used as a monitoring mechanism to ensure that accessibility of physical infrastructure is maintained on an ongoing basis.

*Text in policy: The architectures and civil engineers and their associations will be sensitized so as to ensure inculcation of accessibility as well as universal design culture in all public infrastructure.*

*The curriculum for engineering such as civil, electrical, mechanical, electronics, computer science, architecture, town planning, instrumentation, IT etc should have a component of accessibility and universal design.*

#### **Recommendations:**

- Introduce a mandatory component on accessible design in the coursework for software designers, product designers, UI/UX designers, web designers, etc.
- Ensure practical training/testing (for credit) either as a part of project submission or internships, in order to make this component more impactful for engineering and design students. Can consider creating a list of websites, apps, and other digital resources which may be audited for accessibility by students. Wherever possible, collaborative/ open-source projects/ hackathons be launched to make accessibility improvements in the aforesaid digital resources.
- Conduct and mandate periodic training and technical upskilling programmes for educators, employers, product developers, designers, testers, service providers, and transport operators to facilitate a barrier-free digital environment in the mobility ecosystem.
- Ensure that schools of architecture, urban planning and even design begin to include mandatory curriculums on accessibility of spaces for people with disabilities.
- Create training programmes and awareness campaigns to broadly focus on accessibility from the perspectives of urban planners, architects, engineers and others involved in building infrastructure
- Conduct specific awareness campaigns to include digital accessibility for people with disabilities

*9.12 Text in Policy: Efforts will be made to promote accessible passenger car for PwDs and accessible cab facilities will be made available at the airports, railway stations, bus stops etc. Drivers of such vehicles will be sensitized and trained about the needs of PwDs.*

## **Recommendations:**

- To ensure reliability of accessible cabs, must ensure availability in adequate numbers. Service quality and reliability benchmarks may be set and assessed periodically to maintain service quality. Financial support may be extended for ensuring that rides using accessible cabs are affordable for persons with disabilities and viable for the drivers.
- Forge social/Collaborative partnerships between the public, private sectors, and civil society for the delivery of accessible products and services.
- Encourage the participation of businesses and civil society in forums/advisory bodies responsible for the implementation of the policies. For instance, ridesharing platforms may be partnered with to provide safe, reliable, and affordable transit options when public transport options are unavailable or under-equipped to meet the needs of certain population groups. Needless to say, this may be a stopgap measure while the public transport network and service are strengthened to service more people across the Gender, Age and Disability spectrum.
- Draw lessons from other governments and civil societies like from the City of Boise, in the USA, wherein the local transit authority Valley Regional Transit (VRT) partnered with a ridesharing platform to provide riders with a safe and reliable alternative to people working second or third jobs late at night when VRT buses are not in operation.
- Provide incentives to private car manufacturers to ensure that there are more models of cars which are accessible and can be purchased and/used by people with disabilities.

9.12 Text in Policy: *All new passenger buses will have accessibility features and the existing passenger buses will be phased out in a time bound manner.*

## **Recommendations:**

- Harmonise and update the accessibility guidelines for buses. Currently, accessibility of buses is governed by AIS 052, UBS II and AIS 153 with disharmonious parameters in some cases.

## **9.12 Overall Recommendations:**

- Ensure 'universal design' is a mandatory component of RFPs and an essential criterion in technical evaluation in procurement.
- Promote accessibility standards for inclusive infrastructure development that allows for integrating newer/improved standards for accessibility and inclusion in line with global standards. All infrastructure development projects need to fully comply with accessibility standards ensuring seamless access to all infrastructure for persons with disabilities across age groups and disabilities.

- A timebound plan of action to be developed and executed to ensure all existing public infrastructure is compliant with national accessibility standards
- Adequate financial allocations to be made for developing inclusive infrastructure for persons with disabilities.
- Some recommendations mention implementation in a “time bound” manner, but others do not. Ensure time-bound nature of implementation is clearly written in all relevant recommendations. It would also be important to indicate the implementation period of these time-bound activities (e.g., within three or five years etc.).

## Chapter 10: Disaster management

### Overall recommendations:

- The policy should propose integration of the needs of the persons with disabilities in all disaster management and response plans.
- Include and institutionalise the specific concerns of women and girls with disabilities in disaster risk reduction.
- Create awareness campaigns of disaster risk reduction planning and services amongst women and girls with disabilities.
- Adopt a twin-track system built on mainstreaming as well as providing specific gendered services.
- Ensure women with disabilities and their organisations are consulted in building important frameworks for disaster risk reduction
- Ensure reasonable accommodation will be provided in disaster management services.
- Set up a monitoring framework which includes SDG and Sendai Framework for Disaster Risk Reduction 2015-2030 (SFDRR) gendered indicators.
- Create a disability cell in the National Disaster Management Authority (NDMA) and all State Disaster Management Authority (SDMAs) with a gendered composition and representation.
- Disaster management plans for areas with residences of persons with disabilities ie., inclusive disaster risk reduction plans may include response to early warning systems specifically designed to involve early evacuation, shelters that have access for persons with disabilities. These may also include periodical mock drills to ensure better preparedness.
- The policy should also include engagement of persons with disabilities in all climate change and action related decision making processes.

## Chapter 11 Social Security

11.1 Text in Policy: *Social Security is primarily a system of protection of individuals who are in need of it from the State. Such protection is relevant in contingency*

*situations like retirement, death, retrenchment, disablement which are beyond the control of individual members of the society.*

### **Recommendations:**

- Recognise social protection as a human right across Human Rights Instruments such as UDHR, ICESCR, CEDAW, CRC.
- ILO has reaffirmed the human right to social security and has recognised social security is an important tool to prevent and reduce poverty, inequality, social exclusion and social insecurity, to promote equal opportunity and gender and racial equality, and to support the transition from informal to formal employment, and
  - Consider that social security is an investment in people that empowers them to adjust to changes in the economy and in the labour market, and that social security systems act as automatic social and economic stabilizers, help stimulate aggregate demand in times of crisis and beyond, and help support a transition to a more sustainable economy, and
  - Considering that the prioritization of policies aimed at sustainable long-term growth associated with social inclusion helps overcome extreme poverty and reduces social inequalities and differences within and among regions

(ILO Social protection floors Recommendation, No. 202 (2012))

*11.2 Text in policy: The ILO concept of social security is based on the recognition of the fundamental social right guaranteed by law to all human beings who find themselves unable to work temporarily or permanently for reasons beyond their control. It recognized the right to social security for the first time. Subsequently, the UN General Assembly, while adopting the Universal Declaration on Human Rights also guaranteed that every member of the society has a right to social security*

*11.3 Text in Policy: India being a Welfare State, social security is an essential component of Government policy. As per Article 41 of the Constitution of India, the State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.*

### **Recommendations:**

- India being a welfare state social security should be recognised as a critical vector leading to realisation of all human rights and fundamental freedoms for all individuals including persons with disabilities across life cycle and should look at individuals across life cycle as right holders and vulnerable to shocks.

*11.4 Text in Policy: Article 28 of the UNCRPD mandates the State to take steps to make the provisions for persons with disabilities:*

- ♣ adequate standard of living for PwDs and their families, including adequate food, clothing and housing;*
- ♣ equal access to clean water services;*
- ♣ access to appropriate and affordable services, devices and other assistance for disability-related needs;*
- ♣ access, particularly to women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes;*
- ♣ access to assistance from the State with disability-related expenses, including adequate training, counseling, financial assistance and respite care;*
- ♣ access to public housing programmes; and*
- ♣ equal access to retirement benefits and programmes.*

*11.5 Text in Policy: Goal 4 of the Incheon Strategy focuses on strengthening of Social protection. It specifies that social protection programmes should not be limited to regular and formal employment programme. It would be crucial to ensure that PwDs have access to social protection on an equal basis with others. The Sustainable Development Goals, 2030 aim to eliminate poverty, hunger and to achieve food security and improved nutrition.*

*11.6 Text in Policy: The Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995 only provided for insurance schemes for employees with disabilities and unemployment allowance for persons with disabilities who have not been engaged in any gainful employment.*

*The RPwD Act, 2016 covered a wide range of social security measures for empowerment of persons with disabilities in line with UNCRPD. These inter-alia include:*

- ♣ disability pension*
- ♣ community centers with good living conditions*
- ♣ facilities for PwDs/CwDs who have no family or are abandoned or are without shelter or livelihood*
- ♣ support to women with disabilities for livelihood and upbringing of their children*
- ♣ provision of aids and assistive devices, medicine and diagnostic devices, and corrective surgeries free of cost*
- ♣ caregiver allowance*

*11.7 Text in Policy: The Union Ministry of Rural Development has been implementing National Social Assistance Programme which inter-alia provides disability pension to persons with severe disabilities in the age group of 18-79 years.*

*11.8 Text in Policy: The State Governments/UTs, on their own, have been topping up their contribution towards disability pension provided by the Central Government. The quantum of disability pension varies from Rs. 300 to Rs. 3500, from State to State, depending on their economic capacity.*

*Few States are also providing unemployment allowance to persons with disabilities.*  
*11.9 Text in Policy: National Policy statement outlines the following for ensuring coverage of all persons with disabilities under social security programmes*

**Recommendations:**

- Recognise that social protection is a human right and that persons with disabilities experience systemic and intersectional marginalisation experiencing lower employment, educational and health outcomes that leaves them at a risk of extreme poverty, exclusion, isolation and institutionalisation.
- Recognise social protection has a critical role in equalisation of opportunity, ensuring full and effective participation and ensuring adequate standard of living for all persons with disabilities.
- The pathway to achieve this could involve:
  - Building evidences across the life cycle on the disability extra cost incurred by persons with disabilities and their families.
  - Adopting universal social protection programs across life cycle that include
    - a. Basic income security
    - b. Compensating extra costs of living with disability including disability-specific support services (e.g., personal assistance and peer counselling services), as these services are prerequisites for independent living in the community for many persons with disabilities.
    - c. Procurement, production, supply of appropriate assistive devices and services across geographical areas including incentives such as tax exemption for assistive devices and technologies used by persons with disabilities.
    - d. Particular attention for establishing and simplifying the process of assessment, certification that include socio economic factors for disability determination. This should link with appropriate social protection program particularly for persons with high support requirements and children with disabilities
  - Establishing disability focal points across all ministries and departments that are responsible for ensuring social protection within their ministry / department.
  - Training and sensitisation at all levels of the Government on the rights of persons with disabilities including the duties and responsibilities in ensuring access to all social protection programs by persons with disabilities.
  - Simplifying the process for accessing entitlements and ensuring accessibility of the process including information and communication, infrastructural accessibility without any extra cost and by compensating the costs of accessing the social protection programs

- By respecting the legal capacity of all persons with disabilities and enabling all agencies involved in the service of social protection programmes and benefits to respect full legal capacity and supported decision making for all persons with disabilities.
- Strengthening CBID work force to facilitate access to social protection programs by all persons with disabilities including children and older persons with disabilities.
- Mobility: Ensuring equitable access to all modes of public transport at zero cost or at reasonable/subsidised cost

Text in policy: Encouraging State Governments/UTs to develop a social protection policy framework similar to this policy for persons with disabilities.

**Recommendations:**

- Establish consultative bodies with majority representation from persons with disabilities and their representative organisations in order to establish the basic income that should be ensured, designing sensitisation programs, monitoring and accountability frameworks and further policy formulation and evolution.
- Constitute such bodies within 6 months of the formulation of this policy and guidelines and rules for implementation of the framework will be adopted immediately after that.

Text in policy: *States/UTs to consider universal coverage of PwBDs under disability pension scheme subject to their economic capacity and development.*

**Recommendations:**

- Implement the social framework to ensure optimal utilisation of resources and should earmark adequate resources to establish new programs with support from the Union Government.

*Text in policy: Covering all persons with disabilities under food security programme.*

*Provision of community centers for providing shelters with food and clothing facility to homeless persons with disabilities*

**Recommendations:**

- Recognising intense malnutrition among children with disabilities and women with disabilities across age groups, food security programs should ensure accessibility of PDS counters and also ensure door to door provisioning of nutritious food for those families with children with disabilities and persons with high support needs.
- Ensure all community centers have respite care facilities for all persons with disabilities.

- Mandate such centers to be equipped with support services and care services as required by the individuals with disabilities.
- In areas where community centers are not available the appropriate agencies must ensure availability of community centers with facilities and services for persons with disabilities that are gender and child sensitive.
- Establish working women's hostels in the community wherever there are no such services. Such hostels should be accessible for all women with disabilities.
- Ensure all emergency shelters are compliant with the accessibility standards and equipped with specific services for persons with disabilities during emergencies responses.
- Provide accommodations for persons with disabilities transitioning from institutional care and those who have lost their existing support systems till such time they find their community living arrangement.
- Create awareness and sensitisation programmes about the availability of such services and facilities among different stakeholders

Text in policy: *Developing a comprehensive insurance programme for persons with disabilities for their health and life.*

**Recommendations:**

- Guarantee that insurance will cover the specific health care, medication and rehabilitation needs of persons with disabilities.
- Ensure assistive devices are covered by insurance and cover all maintenance, replacement and enhancement services required for assistive devices.
- Mandate that insurance regulatory authority sensitise insurance providers for ensuring that persons with disabilities are not discriminated against while seeking insurance coverage.
- Insurance coverage for other non-disability-related medical conditions should not be crowded out because of disability-related medical conditions and claims.

Text in policy: *The Government may consider provision of higher interest for savings of persons with disabilities.*

*Developing schemes by States/UTs for providing caregiver allowance and other support services for persons with high support needs.*

**Recommendations:**

- Recognise services of personal assistant and caregivers for children with disabilities as services under the National Classification of Occupations
- Design and implement appropriate training programmes in close consultation and with participation of persons with disabilities. This training will be done in partnership between the Union and the State Governments.
- Ensure employment and career development options for trained personal assistants

- Mandate trainings by MGNREGA and the urban and rural livelihood programmes for registered manpower and provide employment under skilled employment categories. The nature and extent of financial assistants for persons with disabilities who require such services based on the extent of impairments and the socio-economic status of the individuals with disabilities. Priority will be accorded for persons with high support needs.
- Evolve a childcare grant for parents or guardians of children with disabilities considering the extra cost of disability.
- Evolve within 6 months of passage of policy an implementation method, time frame, State-centre responsibility in implementation, nature of support, assistance, duration of training and rolling out strategy
- Evolve within 3 months of adoption of the policy the concerned institutional mechanisms for planning and implementation
- Offering customised/exclusive as well as integrated financial products and services for persons with disabilities (fixed deposit schemes, interest free/low interest loans, zero collateral for credit, built-in insurance for all financial services, etc.)

Text in policy: *Streamlining grant of guardianship as a support mechanism to persons with disabilities.*

**Recommendations:**

- Strongly recommend removing this section entirely

Text in policy: *Creating better employment opportunities for persons with disabilities and covering all persons with disabilities in the age group of 18-59 years by States/UTs for support in the form of unemployment allowance.*

**Recommendations:**

- Ensure that the unemployment allowance will be in addition to the disability extra cost allowance.

Text in policy: *Enhancing the coverage of ADIP programme in an effective manner and developing a mechanism for providing support of repair of such devices at the nearest locality.*

**Recommendations:**

- Adopt the list of devices proposed by WHO and enhance the list based on the needs and the lived experiences of persons with disabilities.
- Streamline the process of supply, maintenance and replacement as close to the community as possible and customise to the needs of the individual
- Ensure commitment to earmark adequate resources for procurement and supply of quality assistive devices

- Adhere to universal design standards and ensure accessibility and customisation at affordable cost for all persons with disabilities across geographical areas.
- Provide adequate training and rehabilitation for using assistive devices and products as close to community as possible and also enhancing support through CBR workers and experts.
- Initiate home modification programmes to ensure quality and dignified life within the homes of individuals with disabilities
- Ensure all government housing programs include costs of modification, costs of ensuring customised accessibility provisions to suit the individuals needs within the program.
- Persons with disabilities should be given priority in public housing programs such as allocating the most accessible units (ground floor, closest to hospitals etc)
- Initiate subsidies for employers/ establishments that are small scale with less than 25 employees for workplace accommodations and modifications, supply of appropriate devices for effective working and for ensuring appropriate support services during employment for persons with disabilities.

## Chapter 12 - Institutional Mechanisms

12.1 Text in policy: *Disability is a complex and multi-dimensional issue. Creating an environment conducive for persons with disabilities to live independently and participate equally with others requires multi - pronged strategy involving multiple authorities at central, state and local level. Coordinated efforts across concerned central Ministries/Departments , provincial and District authorities, non-government organizations involved in social engineering and advocacy are key to successful integration of PwDs for achieving the 2030 agenda of Sustainable Development Goals which promotes universal inclusion.*

### **Recommendations:**

- Use persons with disabilities and not “PwDs”.
- Rewrite 12.1 “In order to respect, promote and fulfil all human rights and fundamental freedoms for all persons with disabilities. All appropriate government and agencies should adopt a twin track approach:
  - ensuring all general services including judicial, infrastructure and products are accessible and compliant with CRPD and RPwD Act 2016 and do not cause exclusion and discrimination
  - ensure specific services and programs for ensuring the specific needs of persons with disabilities to fully participate in all domains of life and in community decision making processes”

- to achieve this all the government agencies across all levels of administration should align their policies, programs and processes in such a way that those are compliant with CRPD and fulfilment of the SDG.

12.2 Text in policy: *The Department of Empowerment of Persons with Disabilities (Divyangjan) is the focal Central Government Department on policy matters whereas all concerned Ministries/Departments are responsible for execution of policies and programmes relevant to their sectors keeping in view the provisions of law safeguarding the rights of PwDs. The Key Ministries /Departments and the institutions involved at the Central level for empowerment of PwDs are:*

### **Recommendations:**

- Though Department for the Empowerment of Persons with Disabilities (DEPwD) is the nodal agency for overseeing implementation of the laws related to persons with disabilities by all Ministries and agencies at the Union Level and for implementing specific policies and programmes that addresses specific needs of persons with disabilities, implementation of the specific laws related to persons with disabilities and aligning sector specific laws, policies, guidelines and programmes with the specific laws and CRPD is the responsibility of all Ministries and Departments and local authorities across all levels of government.
- DEPwD should work in close coordination under the Ministry of Social Justice and Empowerment in ensuring effective coordination and convergence of development programmes impacting persons with disabilities.
- All Ministries, departments, corporations, public sector undertakings, should ensure full integration of the policy reflecting in their vision, mission and operations.
- Private sector organisations and establishments should be issued clear guidelines for integration of and compliance to policy provisions by appropriate authority.
- The accountability and redressal mechanisms across all agencies should be responsive and accessible to effectively include persons with disabilities. Where possible, these mechanisms should include representatives of persons with disabilities as members in the monitoring committees.
- A national and state level inclusivity ranking/score could be developed to periodically measure and strengthen fuller and effective implementation of provisions under this policy.
- A robust and decentralised planning, monitoring and evaluation mechanism should be institutionalised from the centre to the district and sub-district level to develop specific work/action plans, targets and financial allocations along with measurable indicators for progress, outcome and impact.

- Each state should (be encouraged to) develop a state policy and action plan for empowering persons with disabilities guided by the central policy.
- National and state level steering committees could be constituted to advise and monitor effective implementation of the policy and action plan at the central and state level comprising Ministers, senior bureaucrats, legal experts, leading practitioners, academia, media, and representatives from disability rights groups and CSOs among others.
- Suggest adding a sentence within paragraph 12.2: “To successfully promote the rights of persons with disabilities, a whole-of-government approach will be required to effectively mainstream disability perspectives into institutional settings and processes.”

**Under 12.2.2 – Add:**

- Ministry of Finance
- National Disaster Management Authority

**Under 12.2.3 – Add:**

- Private sector organizations, ranging from multinational companies to micro, small and medium enterprises
- Industry and professional associations and chambers of commerce, employer associations, trade unions

12.3 Text in policy: *The National Policy envisages the following measures for strengthening the institutional framework for empowerment of persons with disabilities*

**Recommendations:**

- The National policy envisages to ensure a cross sectoral recognition of the issues of persons with disabilities and create a twin-track approach to respect, protect and promote the rights of persons with disabilities

Text in policy: *Each Central Ministry/Department should have a nodal officer on disability matters to be responsible for coordinating with DEPwD. Priority to be given for implementation of the recommendations of the Central Advisory Board on disability which is the highest policy recommending body on disability sector and a platform for coordination among Central Ministry/Department and States/ UTs.*

**Recommendations:**

Nodal office with a team of experts including experiential experts.

The role of the office include:

- a. to reframe the existing laws, policies and programs to be compliant with CRPD and RPwD Act 2016.
- b. Ensure that the existing laws, policies and programs do not create additional barriers and exclusion
- c. Ensure all new policies, programs, guidelines adhere to UNCRPD and RPwD Act 2016
- d. Establish/ strengthen accountability mechanisms to effectively include persons with disabilities
- e. Training and sensitisation of the mechanisms across all levels of implementation on the rights of persons with disabilities, duty to ensure accessibility and universal design and the need to make all processes leading to delivery of services responsive.

Text in policy: *Similar principle should be followed by all Departments of States/UTs.*

*The National Institutes/CRCs to serve as focal points at the regional level to coordinate with concerned authorities on disability matters.*

**Recommendations:**

- The National Institutes / CRCs should serve as focal points to plan and deliver specific support services, assistive devices and rehabilitation services.

Text in policy: *National Institutes and CRCs should be involved under PMDAKSH portal. These Institutes may also be linked with UDID portal.*

*Setting up of at least one National Institute or Composite Regional Center in every State/UT. Such Centers should have facilities of Cross Disability Early Intervention, state of the art facility for rehabilitation services across all age group with vocational and skill training facilities. These Institutes/Centers will serve as resource Centers for States/UTs.*

*Supporting District Disability Rehabilitation Centres in every district which would provide single window facilities for Divyangjan at the district level. Each DDRC should have facilities of Cross Disability Early Intervention.*

**Recommendations:**

- All DDRCs will liaison with the CBID program implemented in partnership with CSOs and OPDs by the State Government / appropriate authority for aspects related to provision of rehabilitation services as close to the community as possible.
- Towards this the policy envisages that all appropriate authority should earmark adequate funding with complement funding from the Union Government to train

and have a cadre of CBID team with representatives from OPD members representing cross disability coalitions.

*Text in policy: As far as possible DDRCs should be located adjacent to District Hospital/ Health Care Institutions. Each DDRC should be manned by rehabilitation personnel /professional including community based inclusive development professionals.*

*States/UTs need to set up rehabilitation centers at sub- divisional level on the model of DDRCs based on the population of PwDs in the locality.*

*Staff and personnel of DDRCs and State run rehabilitation centers including NGOs under DDRS should be trained under NIs/CRCs.*

*Rehabilitation Council of India should take measures to develop well trained pool of rehabilitation personnel /professional to meet the requirement of all categories of PwDs across the Country. The rehabilitation courses/ programmes should be at par with international standards. RCI shall work in tandem with NCTE, National Commission for Allied Health Care Services, National Medical Authority and Ministry of Education.*

#### **Recommendations:**

- Include that the RCI should work in close collaboration with the MGNREGA skill development agencies and NULM agencies to create a cadre of personal assistant service providers who could be employed within the rural and urban livelihood mission. A database of such cadres should be available at block level offices for easy access by persons with disabilities.

*Text in policy: Setting up an University of Disability Studies and Rehabilitation Sciences to serve as a National resource centre on human resource development in the disability sector including inclusive universal design and assistive technology.*

#### **Recommendations:**

- All National and State training agencies and bodies such as National and State rural training agencies, urban and rural design institutes, administrative service academy and training centres, judicial training centres should have mandatory training module on the rights of persons with disabilities with mandatory work submissions on making services responsive for all persons with disabilities in the light of CRPD and RPwD Act 2016
- The justice system should have a core team that converts all legal documents in plain language and AAC, have trained sign language interpreters within the system for effective redressal and conduct regular in-service training on the

contemporary development in national and international laws in effective delivery legal service for persons with disabilities

## **Chapter 13: Protection of rights of persons with disabilities**

13.1 Text in policy: *Our Constitution fosters equality irrespective of caste, creed and religion. All citizens including persons with disabilities are equal before the law of land and they have the rights equally with others as envisaged in the Constitution. However reiterating United Nation's Convention on Rights of Persons with Disabilities the Central Government enacted the Rights of Persons with Disabilities Act 2016 enlisting various rights and entitlements of persons with disabilities. Major rights entitled for PwDs envisaged in the Act are:-*

### **Recommendations:**

- Further it is imperative that the constitution is amended to include "due to individual's impairment" as part of diversity along with other factors, reiterating UNCRPD

Text in policy: *Right to equality and non-discrimination: The appropriate Government to take specific measures to ensure that PwDs enjoy their rights equally with others.*

### **Recommendations:**

- The Government to take necessary steps within a reasonable period of time to enact an anti-discrimination law covering all marginalised groups with specific attention to persons with disabilities.

Text in policy: *Community life: PwDs shall have the right to live in community.*

### **Recommendations:**

- Towards ensuring this, the choice and autonomy of the individual disability shall be of paramount consideration
- This shall be achieved by
  - a. Strengthening the social protection framework (refer above). All housing programs should be compliant with the accessibility standards and have specific and priority allocations for persons with disabilities.

- b. Ensuring support services including personal assistant services as per the requirement of the individual with disability in their choice of living arrangement
- c. All community services that is available for all adheres to universal design standards and are accessible for persons with disabilities.
- d. All resources for institutional living arrangement must be relooked and reallocated for transition programs so that all persons with disabilities can have their choice to live in the community.
- e. Adequate resource allocation and services delivery has to be ensured at all geographical locations

*Text in policy: Protection from cruelty and inhuman treatment: Appropriate Government to take measures to protect PwDs from being subjected to torture, inhuman, degrading and cruel treatment.*

*Protection from abuse, violence and exploitation: Executive Magistrate/Police officer to take cognizance of such complaints in this regard; any penal/registered organization may inform such cases to the local Executive Magistrate.*

*Protection and safety during emergency situation and natural disasters: District, State, National Disaster management*

*Home & family: No children with disabilities to be separated from his/her parents on the ground of disability.*

*Reproductive Rights: No persons with disabilities to be the subject of any medical procedure which may lead to infertility without free and informed consent.*

*Legal Capacity: Persons with disabilities to have right to inherit property, control their financial affairs, have access to bank loans, mortgage and other financial credit. The State/UTs are required to designate officers at the District Level for mobilizing community and creating social awareness to support PwDs to exercise their legal capacity*

## **Recommendations:**

Include the following:

- All laws, policies, guidelines or processes and procedures that deny persons with disabilities their right to full legal capacity in all situations and across the place of living shall be listed and amended. For this purpose, OPDs and experiential experts who are systemically denied their right to legal capacity has to be closely consulted and actively involved in the reform process.
- Sensitisation and training of all service delivery agencies including banks, justice system and agencies that require contract on the right to full legal

capacity and the recognition of supported decision making has to be ensured. All judicial services and mechanisms must be accessible and ensure full legal capacity for all persons with disabilities. The policy should lead to a process document to recognise supported decision across services and transactions for persons with disabilities who require this support. All services including banking and legal should recognise supported decision making.

- Sensitise protection officers, police officers and other respondents to not dismiss women with disabilities, but support them throughout the process of complaints and accessing justice. Police officers to have training and expert support needed to handle cases of women from 21 categories of disabilities.
- Build the capacities of the ministries and departments relating to women and children, the national and state's women commissions, the child protection commissions and other relevant authorities on the concerns and rights of women and trans persons with disabilities.
- Ensure that women with disabilities facing domestic violence have access to safe and accessible shelter to move to, particularly during any disaster period such as the COVID-19 pandemic.
- All information and communication should be in accessible formats, means and modes including plain language, oral information, pictorial information so that informed choices and consent can be exercised apart from supported decision making.
- Ensure that free and informed consent includes ideas of shared decision making and the participation of disabled persons in these decisions especially for underrepresented or stigmatised disabilities like developmental, intellectual, and psychosocial disabilities.

13.5 Text in policy: *The National Policy outlines the following measures to safeguard the rights of PwDs including streamlining of grievance redressal mechanism*

*There is a need to develop a system to capture the data relating to number of cases filed by PwDs in special courts, police stations and the time taken for disposal of such cases.*

**Recommendations:**

- In all courts across the country including special courts

*Text in policy: On receipt of the complaints by the office of CCPD action should be initiated within a week. The respondent authorities should be given maximum of one month to reply and in no case it should go beyond two months.*

*• Personal hearing, if need be, should be completed within three months on receipt of complaint.*

*• The above time schedule shall also be adhered to by the SCPD.*

- *State should start online hearing at the earliest possible time.*
- *Office of State Commissioner need to be given due support of staff and other infrastructure.*

*There should be a common online platform for registering of complaint by PwDs and the system will automatically forward to CCPD or respective State Commissioner based on the nature of the complaint. Further the system should enable to monitor follow-up action by the respondent authority. Individual Departments of all States/UTs should be given restricted access to view the record available and also explore the action taken. The complainant should also be given restricted access to view the status of complaint and status of implementation of CCPD or State Commissioner with respect to his complaint.*

- *The National Crime Record Bureau of MHA needs to maintain disability segregated data regarding crime against PwDs. From 2021 onwards, NCRB may include disability segregated data in their annual crime data.*

#### **Recommendations:**

- From 2021 onwards, NCRB may include disability segregated data in their annual crime data-this should become one of the mandatory requirements
- There shall be special provisions made for registering cases related to sexual harassment of persons with disabilities and strict penal action shall be taken against the offenders.

*Text in policy: Sensitising public and the public authorities is the key to create an inclusive society and also to protect the interest of all. The State Commissioners in consultation with the State Governments need to conduct sensitizing workshop for District/State authority periodically.*

#### **Recommendations:**

- The State Commissioners in consultation with the State Governments need to conduct sensitizing workshop for District/State authority periodically- and develop a regular follow up mechanism to ensure more inclusive / disabled friendly environment in all state and district level Govt. department. Also emphasise on inclusive infrastructure
- The State Commissioners in consultation with the State Governments need to conduct sensitizing workshop for District /State authority periodically- Appointment of Sign Language interpreter should be ensured, wherever needed.

## Chapter 14: Other policy measures

### Overall recommendations for data generation and disaggregation:

- The National policy envisages data generation through population related surveys and statistics, administrative data processes and specific survey and research and evidence formats in order to address the gaps in outcomes compared to the overall population and to ensure specific services and programs that lead to full and effective participation of persons with disabilities across life domains and in the decision making processes of the community. Towards this the policy envisages to adopt:
  - Widely tested and internationally comparable data generation tools such as Washington group survey question on disability to be incorporated in all NSSO sampling and survey processes that generated data on health, employment, education and standard of living / house hold income and expenditure. This to be followed by state level surveys as well.
  - Census survey should adopt WGDS as suggested by the CRPD committee observation
  - All administrative data should be disaggregated based on gender, age and the impairment levels for effective planning and implementation
  - UDID process should be strengthened to ensure a disability data registry for effective delivery of social protection measures and services specific to persons with disabilities. This has to be further linked to the National Social Protection Registry (linked to Aadhar) so that there is access to general social protection programs. However, UDID cannot be emphasised for access to services such as education, health services, banking and other public services and utilisation of facilities.
- Specific measures shall be adopted with adequate timeframe involving persons with disabilities for planning and implementation of the suggested measures.

### Recommendations:

- Investment in projects that works on development of assistive devices including technology enabled communication devices and softwares, apps and AAC devices has to be ensured
- Affordability for the end user has to be the primary objective. Such affordability can be ensured by facilitating social insurance coverage and by expanding the social protection framework.
- Home modifications and customisation of day to day products, services and utilisation has to be focussed and projects should be implemented and supported through the start-up framework with active involvement and participation of persons with disabilities particularly those with high support requirements.

14.3.2 text in policy: *For promoting 'Atmanirbhar Bharat' the policy suggests that:*

- *Efforts will be made to fully indigenise high end prosthesis i.e. Below knee and Above knee with local procurement of input raw material.*
- *Modernization of ALIMCO with advanced contemporary equipment will not only increase its production capacity but also enable it to produce better quality aids and assistive devices, thus obviating the need to import these.*
- *ALIMCO will enforce rigorous quality control on its vendors, market the products through chain of retailers and so-on. For this purpose, ALIMCO will undertake up-gradation of knowledge and skills of its work force in order to align it with the primary aim of improved product design and development and manufacturing of new products wherever feasible.*
- *ALIMCO will apply best management practices to minimize cost for aids and assistive device and improve its share in the market. It may develop a network of retailers and set up repairing units through these networks*

#### **Recommendations:**

- Developing affordable, indigenous aids and assistive devices - add user friendly – for which ALIMCO should play a lead role.
- Investments for design of infrastructure, facilities and ramp structures can receive tax relief/subsidies to encourage persons to invest in such dedicated research, design and infrastructure requirements.

14.4 Text in policy: *International Cooperation: 14.4.1 Article 32 of the UNCRPD makes it obligatory for the Member States to recognize the importance of promoting international cooperation for realization of objectives of the Convention. India is not only a party to the UNCRPD but also an active participant at all disability inclusive international initiatives. These include Incheon Strategy to make the 'Right Real' for PwDs for the decade 2013-2022 in Asia and the Pacific region, SENDAI framework for disaster risk reduction, the Marrakesh Treaty to Facilitate Access to Published Works for Persons who Are Blind, Visually Impaired or Otherwise Print Disabled.*

14.4.2 *In addition, the Government is engaged with other countries for sharing of best practices and knowledge for the betterment of PwDs in the country. These include*

*bilateral agreements with Govt of Australia, Govt. of Afghanistan and Govt. of Mauritius.*

**Recommendations:**

- “tie up with SAARC countries for regional cooperation in the disability sector for promoting access to low cost and affordable rehabilitative services, sustaining a knowledge network to exchange best practices on mainstreaming disability-inclusion in policies, training and capacity building. (MEA funds organizations such as HSMI to conduct training of officials from other countries as part of south-south cooperation)

Text in policy: *The Policy envisages that the Government will endeavor to:*

- *explore signing of MoUs with other countries for facilitating cooperation in research and access to scientific and technical knowledge, for promoting accessible and assistive technology and other areas of mutual interest.*
- *participate in international cooperation activities for improving the quality of life of PwDs.*
- *tie up with SAARC countries for regional cooperation in disability sector for promoting access to low cost and affordable rehabilitative services.*
- *promote institution to institution cooperation under the ambit of MoU signed with other countries.*

**Recommendations:**

- All bilateral and multilateral developmental projects, social protection/ poverty alleviation projects and investment projects must adhere to the universal design standards, equal employability and non-discrimination policy and should not be invested in services or projects that isolate or exclude persons with disabilities. All such projects must be planned, implemented and monitored with full and effective participation of persons with disabilities
- Financing for empowerment of persons with disabilities

14.5.8 text in policy: *The policy envisages the following measures to mobilize financial resources required for empowering Divyangjan and creating an inclusive society:-*

**Recommendations:**

- The policy ensures adequate and appropriate financial and human resources for realising the vision of full and effective participation of all persons with

disabilities in all spheres with improved outcomes in standard of living, health, education, employment as envisaged under SDG.

Text in policy: *Towards this*

• *State Governments and local authorities need to earmark sufficient funds for the disability sector every year keeping in view the fact that welfare of persons with disabilities is their primary responsibility.*

**Recommendations:**

- Government will undertake a budget analysis from the lens of persons with disabilities and will arrive at a framework to
  - Reform existing allocation
  - Earmark more and appropriate and adequate resources for new programs
  - Ensure cross sectoral allocations leading to maximum utilisation of available resources
  - Mandate international cooperation funds, investments to adopt the same principle of non-discrimination while implementing their projects
  - Tax reforms and earmarking adequate funding for persons with disabilities by checking on tax evasion and by ensuring appropriate taxation policies. Corporate taxes should be revisited in the light of their equal employability policies and taxing those corporate accordingly.
- Involvement of persons with disabilities at the time of planning and budgeting processes including at the time of implementing programs.

Text in policy: *Efforts need to be made to sensitize corporate sector for facilitating higher flow of fund for empowerment of PwDs.*

• *All the States/UTs need to set up State Fund and popularize the fund for receiving donation from the public for utilizing the same in schemes and programmes meant for PwDs.*

• *Public Private Partnership needs to be explored for providing services to the Divyangjan.*

**Recommendations:**

- Financing for loans for entrepreneurship for people with disabilities may also be in the form of a joint venture with family or other people with disabilities to support the enterprises run by them.

- Loan application and approval processes need to be simplified and made more transparent for persons with disabilities.

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  - International Fund for Agricultural Development (IFAD)
  - United Nations Population Fund (UNFPA)
  - United Nations High Commissioner for Refugees (UNHCR)
  - World Food Programme (WFP)
  - World Health Organization (WHO)
  - United Nations International Children's Emergency Fund (UNICEF)
  - United National Resident Coordinator's Office (UNRCO)
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