

Government of Himachal Pradesh
Department of Social Justice & Empowerment.

No. SJ&E-F (1)-1/2008

Dated: Shimla-02,

March, 2011

NOTIFICATION

The Governor, Himachal Pradesh is pleased to notify the State policy for the Persons with Disabilities in Himachal Pradesh as per Annexure "A" to ensure their equal and effective participation in the society.

By Order,

^Sarojni Ganju Thakur,
Addl.Chief Secretary(SJ&E) to the
Government of Himachal Pradesh.

Endst. No. SJ&E-F (1)-1/2008 Dated: Shimla-02 10th March,2011

Copy Forwarded for information and necessary action to:

1. All the Administrative Secretaries, Himachal Pradesh, Shimla-2.
2. The Secretary to Governor, Himachal Pradesh, Shimla-2.
3. The Private Secretary to Chief Minister, Himachal Pradesh, Shimla-2.
4. The Private Secretary to Chief Secretary, Himachal Pradesh, Shimla-2.
5. All the Deputy Commissioner of Himachal Pradesh.
6. The Director of Social Justice & Empowerment, HP. Shimla-9, w.r.t. his letter No.20-30/2008-S-SJ&E(State Policy) dated 30.01.2009.
7. Special Secretary(GAD-C) with reference to item No.3 placed before the CMM in its meeting held on 29.01.2011.
8. All the District Welfare Officers/DPOs in Himachal Pradesh.
9. The Controller, Printing & Stationery, HP. Shimla-5, for publication in the Rajpatra.
10. Guard file.

Sd/-

Under Secretary (SJ&E) to the
Government of Himachal Pradesh.

**STATE POLICY
FOR
PERSONS WITH DISABILITIES
HIMACHAL PRADESH**



DEPARTMENT OF SOCIAL JUSTICE AND EMPOWERMENT

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1. INTRODUCTION

Disability summarizes a great number of different functional limitations occurring in any population due to impairments. People of all ages and ethnicities have impairments - intellectual, psychiatric, physical, neurological, or sensory which may be temporary, intermittent or ongoing.

One common experience faced by person with disabilities is that of various forms of discrimination and social exclusion. They continue to face physical and attitudinal barriers to their full participation in society and equal and effective enjoyment of all human rights.

The framers of the Indian Constitution were well aware of the fact that in the process of providing true equality some benefits would have to be given to certain sections of the society. Articles 14, 15 and 16 of the Constitution of India clearly recognize this concept. Under the Directive Principles of State Policy, Article 41 of the Constitution of India states that the State shall, within the limits of its economic capacity and development, make effective provisions for securing unemployment, old age, sickness and disablement, and in other cases if undeserved want. Concomitant to these provisions "THE PERSONS WITH DISABILITIES (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995" was brought into force from the 1st of January, 1996. This legal provision was also necessary to give effect to the "Proclamation on the Full Participation and Equality of the People with Disabilities in the Asian and Pacific Region" of which India is a signatory and UN Convention on Rights of Persons with Disabilities (UNCPRD) which was ratified by India on 1st October 2007.

2. POPULATION OF PERSONS WITH DISABILITIES IN THE STATE

As per Census of 2001, there are 1,55,950 persons with disabilities (PWDs) in Himachal Pradesh, which constitute approximately 2% of the total population. The data includes all categories of persons with impairment irrespective of degree of impairment. Out of these, 1,44,756 live in rural areas while 11,194 are residents of towns/cities. The data also reveals that 81,240 PWDs are literate while the rest of 74,710 are illiterate. Maximum numbers of PWDs i.e. 64,122 are challenged with visual impairment followed by 15,239 PWDs with Hearing and 12,762 with speech impairment respectively.

Since the census data consists of all persons having disability to any extent irrespective of the definition of disability as laid down in the Persons with Disability Act, the Department of Social Justice and Empowerment (SJ&E) has taken an initiative in 2007-08 to identify the persons with disabilities in the state through the network of ICDS which has a wide reach right down to every household of the state, to provide remedial and rehabilitation services to them. As a result of this survey total 66,932 Persons with Disabilities have been identified out of which 10,611 are Visually impaired, 11,924 Hearing Impaired, 36,249 Orthopedically impaired and 8,148 Intellectually Challenged persons. The disability wise and age wise status of the PWDs identified is at Annexure

3. EXISTING LEGAL FRAMEWORK

For the protection of the rights of Persons with Disabilities and to ensure their equal participation in the development of the state, the Government of H.P. is implementing the following legislations:

3.1 Persons with Disability (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, provides for medical facilities, education, employment, creation of barrier free environment, social security etc. The State Government is instrumental in implementing the various provisions of the Act. The Department of Social Justice & Empowerment (SJ&E) is the nodal Department for coordinating and facilitating the implementation of the Act. To give impetus to the implementation of the Act, a State Level Coordination Committee under the Chairpersonship of the Hon'ble Minister (Social Justice & Empowerment) has been constituted. This committee is being supported by the State Executive Committee to review and formulate the strategy for implementation of different provisions of the Act in coordination with different departments.

3.2 National Trust for welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act, 1999 has provisions for providing legal guardianship to persons suffering from Cerebral Palsy, Autism, Mental Retardation and Multiple Disability and for creation of an enabling environment to make them more independent. The National Trust Act, 1999 is being implemented in the State and Local Level Committees have been constituted in all 12 districts and legal guardians for the persons with these disabilities are being appointed.

To further strengthen the grievances redressal mechanism for PWDs, Principal Secretary (SJ&E) has been appointed as Commissioner (Disability) and Director (SJ&E) as Joint Commissioner (Disability). Also, at the District level the Deputy Commissioners have been appointed as Deputy Commissioner (Disability) and all District Welfare Officers have been appointed as District Officers (Disability).

4. NEED FOR A STATE POLICY

The achievement of full participation and equality of persons with disabilities requires active collaboration of the community and NGOs with the State Government. In order to be able to achieve this, there is a need to develop a State Policy on Disability. Through this, an attempt is being made to identify, formulate and envisage schemes and programmes while targeting the ultimate goal of independence, equal treatment, and full participation for all the persons with disabilities.

The need for an appropriate State Policy also emerges from the recognition that a majority of Persons with Disabilities can lead a better quality of life if, provided equal opportunities and effective access to rehabilitation measures. As a result of substantial transformation in the social economic and institutional setup in the State over the years, policies and programmes of the State Government need to be periodically reviewed from the perspective of disability and made more responsive and enabling for the need of persons with disabilities especially in view of technical advancements.

Under Section 18 of the PWD Act, one of the functions of the State Coordination Committee is also to develop a State Policy to address issues faced by persons with disabilities.

The persons with disabilities have the right to fully participate in all aspects of society, on the same basis as non-disabled people can do. However, full participation by persons with disabilities is limited by three inter-related barriers:

- Lack of equitable access to opportunities, information, buildings, transport, services, etc.
- Discrimination and/or attitudinal prejudices and ignorance resulting in negative discrimination
- Economic and social status – a vicious cycle of lower economic, educational and health status relative to the rest of the population.

To remove these barriers to participation or independence, there is a need to identify them at the policy level and remove them. Also, there is a need to identify existing barriers when defining the problem, and making sure that no new barriers are created while developing proposed solutions.

This State Policy for the persons with disabilities has been evolved through a series of discussions held with various stakeholders including Government departments, NGOs working in the sector of disability, persons with disabilities working for the disabled, associations/ organisations of PWDs, able bodied persons responsible for the training and education of persons with disabilities, feed back received from such stakeholders from different districts of the State; study of similar policy papers of other states and the National Policy.

5. POLICY STATEMENT

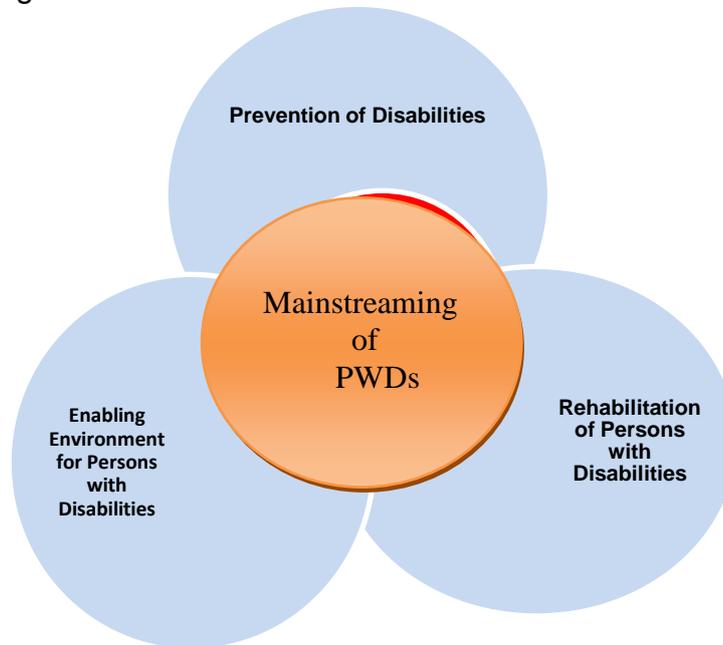
The State Policy aspires to see Himachal Pradesh as an inclusive and enabling society that values highly the lives of persons with disabilities and continually strives to enhance their access to opportunities and their participation at all levels in the society.

The State Policy is based on the vision of having an inclusive and non disabling society where every person with disability is mainstreamed into society.

It provides a framework for the Government to create an enabling environment to achieve this. It seeks to remove barriers that prevent persons with disabilities from participating fully in society. This policy statement attempts to cover the range of barriers experienced by the persons with disabilities - public attitudes, human rights, employment and educational opportunities and provides a framework for developing strategies and action plan for removing those barriers enabling their participation in the society.

For the purpose of achieving the vision of mainstreaming the Persons with Disabilities the following components are envisaged in the Policy:-

- Prevention of Disabilities
- Rehabilitation of Persons with Disabilities
- Enabling Environment for the Persons with Disabilities



The solemn efforts of the state for mainstreaming of PWDs envisages:-

5.1. Prevention of Disabilities:

A large number of cases of disability are preventable if, proper care is taken well in time. In order to build up an environment and develop systems for prevention, early detection and timely intervention, the State will endeavor

- to ensure that departments have the necessary knowledge, skills and systems to address disability issues;
- to coordinate efforts of all sectors of society to participate in disability prevention activities;
- to enable pre-natal, anti-natal and peri-natal check up of all pregnant women/children in order to promote early intervention and identification of disability, especially during pregnancy and in children.
- to enable specific check up and pre natal tests along with genetic counseling where there is family history of specific diseases/disabilities;
- to provide facilities for early diagnosis of problems like schizophrenia, depression etc;
- to make provisions for counseling for the family crisis management;

- to ensure completion of immunization cycles for children, pregnant mothers for prevention of disabilities;
- to ensure nutrition and health education for pregnant women
- to disseminate information related to hygiene, health and sanitation
- to implement appropriate family counseling programmes, including premarital confidential testing for diseases such as anaemia, thalassaemia and muscular dystrophy along with prevention counseling for intra-family marriages;
- to launch public awareness programmes through dissemination of Information, through Education and through various means of Communication including mass media.
- to include appropriate curriculum on disability prevention and sensitization in Elementary and Secondary school syllabus;
- to reduce occupational and environmental hazards through adoption of appropriate technologies;
- to promote healthy lifestyle in the home, at school and in the workplace;

5.2 Rehabilitation of Persons with Disabilities

Persons with disabilities have rights, which aim to ensure their equal and effective participation in the Society without any discrimination. To promote participation of PWDs proper medical care, rehabilitation and support services are required to be made available to them. Rehabilitation in the form of Physical rehabilitation, Educational rehabilitation and Economic rehabilitation will be ensured by adopting appropriate measures and also through expansion of the existing rehabilitation measures.

5.2.1 Physical Rehabilitation

The policy envisages providing appropriate medical intervention through a network of district/ other hospitals, Disability Rehabilitation Centres (DRCs), District Disability Rehabilitation Centres (DDRCs), Composite Resource Centre (CRC), Medical colleges and State Resource Centre etc. This will be supplemented with counseling of persons with disabilities and their parents. Quality modern aids and appliances will be made available such persons and effective measures will be taken to generate a pool of Rehabilitation Professionals within the state. Research in the field of disability will also be encouraged.

5.2.2 Access to Education

The state Government is determined to fulfill the constitutional obligation under 86th amendment which makes Education a fundamental right of every child and to implement the Section 26 of the Persons with Disabilities Act, 1995 which states that the appropriate Government and local authorities shall ensure that every child with a disability has access to free education in an appropriate environment till he attains the age of 18 years. The Department of Education and Sarva Shiksha Abhiyan Project are instrumental in providing free and compulsory education to all children. The State Govt. is committed to providing free education to disabled children having 40% or more disability from class-I till passing out from university including technical & professional courses in all Government Institutions.

Provision has been made to provide 3% reservation in the admission of students with disabilities in the Institutions especially at higher level, so that they can pursue higher studies and professional courses.

Emphasis will be on inclusive education and to provide the same, proper training of the teachers to equip them to look after the needs of such children in the integrated stream of education will be ensured. Needs of the children with severe disabilities can be best taken care of in the Special Schools hence, focus will be on expansion of Special Schools to the uncovered areas with the assistance of NGOs working in this sector. State will also endeavor to provide need based vocational training and courses to enable the children with disabilities to upgrade their skills and take up self employment ventures and eventually reduce their dependence level.

5.2.3. Economic Rehabilitation

The state policy envisages economic rehabilitation of PWDs by ensuring adequate and appropriate opportunities for productive and gainful employment. The State shall endeavor to enable persons with disabilities in both urban and rural areas to have increased opportunities for employment in Government and Private sectors as well as for self employment. The provisions of PWD Act related to reservation in Government job will be implemented effectively and opportunities in other sectors will also be created.

5.2.4 Social Rehabilitation

Providing social security and rehabilitation facilities to Persons with Disabilities is a major concern for the society as well as for the parents of children/persons suffering from autism, cerebral palsy, intellectual disabilities, multiple disabilities and all others severe disabilities.

The Policy envisages appropriate measures for providing rehabilitation allowance, health insurance, guardianship in addition to other benefits like marriage grant to the persons marrying PWDs to enable them to integrate in the social stream effectively

5.3 Enabling Environment for the Persons with Disabilities

Persons with Disabilities often proves to be as productive and efficient as a non-disabled person in an inclusive and non-discriminating environment. Considering the persons with disabilities as differently abled persons, the physical and social environment around them has to be conducive to the needs and status of such persons to enable their participation and contribution. The State will endeavor to provide such enabling environment by taking effective steps for improvement in built environment, identification of all persons, with disabilities, promoting NGOs for the upliftment of PWDs, capacity building and providing appropriate avenues for Sports, Recreation and Cultural life.

5.3.1 Barrier Free Environment:

Physical barriers are a common experience faced by the persons with disabilities all over the world which discriminate against and socially exclude them from participation in society. There is a need to create an environment which is barrier free so that a person with

disability moves about confidently and safely. To make the built environment suitable to enable their participation, the Town and Country Planning department in the State has amended the Building Bye-laws of the Government / Municipal Bodies in accordance with the section 46 of the PWD Act, 1995.

It will be the endeavor of the state to provide barrier free access to the PWDs in the built environment, transport etc. Steps will also be taken to create a substantial resource pool for creation of barrier free environment so that the related measures can sustain in future also and become an integral part of construction mechanism especially in respect of the public buildings and places.

5.3.2 Providing Identity Cards to all the Persons with Disabilities

The issue of evaluation of the nature and extent of disabilities, medical certification and issuing the Identity Cards to the PWDs will be undertaken on priority by the State Government. Identity cards issued to persons with disabilities authorize them to avail facility of free travel in the State Road Transport Corporation buses. Procedure for medical certification and issuance of Identity cards will be simplified to ensure that no deserving person is left out and no undeserving person gets the benefits and an appellate board will be created to deal with disputes. The state will also explore the feasibility for acceptance of Medical Certificates issued in other states provided the same are issued by the Competent authority in accordance with the uniform norms fixed by Government of India.

5.3.3 Capacity Building

The inclusion of persons with disabilities in society cannot merely be achieved by building their own capacity. Society, Government agencies and the civil society also need to enhance and build up their own capacities to play their role effectively to create an enabling environment for the integration of persons with disabilities. The state recognizes the need to create an environment which encourages, fosters and strengthens leadership by persons with disabilities. Steps will be taken to build capacities which would encourage and educate for creation of a non-disabling society that respects and highly values the lives of persons with disabilities and supports inclusive communities. State will encourage initiatives to ensure that agencies including the Government working in the disability sector have the necessary knowledge, skills and systems to address disability related issues.

5.3.4 Promotion of Non-Governmental Organization (NGOs)

State fully recognizes that civil society organizations play a critical supplementary and supportive role to the State Government in integrating persons with disabilities by interventions in various spheres of activity. This includes awareness raising, running specialized institutions which meet the needs of persons with disabilities, advocacy for their rights etc. The State will support and encourage NGOs with required capacities to effectively play this role, and also encourage more NGOs to come forward to work in this sector.

5.3.5 Performance based Incentives to Persons with Disabilities, Private Employers and NGOs

It will be the endeavor of the State Government to honor those persons who have overcome their disabilities and have been able to join the mainstream effectively while proving themselves as role models for other persons with disabilities. The State shall endeavor to encourage and facilitate them to learn more, upgrade their skills and utilize their potential to the maximum. The private employers and NGOs exhibiting significant contribution in providing employment opportunities and rehabilitation measures for the PWDs will be suitably awarded to recognition of their services

5.3.6 Promoting Sports, Recreation and Cultural life for Persons with Disabilities

The contribution of sports, recreation and cultural avenues for PWDs is undeniable in socializing and mainstreaming them in community activities. Appropriate measures will be taken by the state to facilitate the persons with disabilities to exhibit their skills in sports and cultural activities and provide necessary infrastructure and equipments for the same.

5.3.7 Strengthening of office of the State Commissioner Disability

Steps will be taken by the State Government to strengthen the office / institution of the State Commissioner to enable the commissioner to discharge the functions envisaged under the Persons with Disability Act effectively.

6. PLAN OF ACTION

Following strategies will be adopted by the State Government to achieve the goals of the State Policy:-

6.1 STRATEGY FOR PREVENTION OF DISABILITIES

6.1.1 Awareness Generation

- i) Sensitization and awareness generation through workshops, seminars and camps at state, district, and block level for Government officers/ officials, NGOs working in disability sector and Panchyati Raj functionaries at the grass root level will be ensured. Steps will be taken to create awareness and educate the people, representatives of Associations of PWDs and parents of Children with Special Needs on disability related issues, especially about preventive measures and early intervention. The focus will be on making the people sensitive towards the needs of the persons with disabilities, creation of a physical as well as social barrier free environment, general hygiene, health and sanitation.
- ii) Programs will be made by the State on specific diseases which lead to disability. Specific training programs will be devised for all the agencies involved in dealing with the subject of “disability” for the people with severe disabilities.
- iii) For sensitization of people about the needs of persons with disabilities, mobile teams will be formed at Block level by including local representation. This would be especially helpful in benefiting cases where even the family members conceal such cases as a result of which no intervention is provided to the person with disability.
- iv) Training to the staff of the Primary Health Centres will be provided by the Department of Health and Family Welfare. The Department of Health and Family Welfare will be closely associated in the Nutrition and Health Education (NHED) services of ICDS with special emphasis on pre-natal, peri-natal and post-natal care of mother and child in exclusive interactive sessions with target group. There will be training programs for following up, management of disabilities and counseling of parents.
- v) In case of high risk families with history of disability, facilities for specific tests and genetic counseling will be provided by the Health and family Welfare Department. Pockets with specific disabilities will be identified and community and individual counseling will be promoted in such areas.
- vi) All the schemes related to disability would be made available on the Government websites along with complete detail of various beneficiaries all over the state. It will ensure transparency for the benefit of PWDs as well as the public in general and also provide opportunity for the department concerned to have a feedback on verification of beneficiaries and take

corrective measures as and when required. The data will be updated on a regular basis.

- vii) Mass media including electronic media will be used for wider dissemination of information regarding the causes of disabilities and preventive measures to be adopted. Literature will also be prepared on issues related to disabilities for wide circulation amongst public representatives and general masses. Focus will be on severe disabilities.
- viii) A Helpline will be set up for persons with disabilities. Grant in aid and funding norms will be devised for setting up and running the Helpline

6.1.2 Screening of children for Early Detection and Timely Intervention :

- i) In institutional deliveries, it will be made mandatory to check and test each child for congenital problems, jaundice, hearing and visual impairments and the doctors shall certify the status observed as a result of such check-up or test and also suggest early interventions and immunizations at the time of discharging the mothers from hospital. The Health and Family Welfare Department will set up a system in place to enable people to undergo tests and diagnosis for early detection of disabilities.
- ii) For early identification and detection of disability, annual screening of all children upto 14 years of age will be done. For children at risk who are below six years of age, initial screening will be done by trained Anganwari Workers. Screening of the children in the age group of 6-14 years will be done by the Teachers of Elementary schools. Process of identification of Children with Special Needs (CWSNs) will also be carried out under Sarva Shiksha Abhiyan. Health and Family Welfare Department will impart training to Anganwari Workers and School Teachers from each Elementary school for symptomatic screening, identification and referral of cases at risk for disability. The training to Anganwadi Workers and school teachers will include prevalent disabilities and diseases which lead to severe disabilities. The screened cases will be examined at the level of Block Medical Officers/ PHCs for preventive/curative treatment and issuance of disability certificates. The screening process of all children in the age group of 0-14 years shall be completed before 31st October every year.
- iii) Early Detection and Intervention Centres/Cells will be set up in all the districts for better follow up and managements of disabilities and counseling of parents. Such Centres/Cells can be set up in the District Hospitals and the Department of Health and Family Welfare may involve reputed NGOs to run these Centres/Cells.

6.1.3 Medical checkup camps for persons with disabilities:

- i) Composite Camps will be organized in which under one umbrella all facilities/benefits like medical check up of persons at risk of becoming disabled, certifying persons with disabilities, providing Identity Cards and to recommend and provide assistive devices, aids & appliances suitable to the nature of

disabilities shall be provided. Wide publicity of the camps will be ensured through PRIs, NGOs, Associations of PWDs and the field functionaries of Health and Family Welfare and SJ&E department. The state Government in a phased manner will also take steps to provide support services to persons with severe disabilities in these camps either by arranging transport facilities upto camps area or by providing the facilities/ nearer home and to organize these camps in a barrier free environment/ place specifically convenient for the persons with severe disabilities.

- ii) The State Govt. will make efforts to ensure that for early detection of disabilities, facilities of all requisite tests would be made available at District/Sub-Division Level Health institutions at nominal fees. Efforts will also be made for necessary tie up with outside state institutions to facilitate tests/diagnosis of persons with severe disabilities where the related test facilities are not available within the state.
- iii) For the benefit of persons with disabilities provision of beds in the hospitals on nominal fees will be made.

6.2 STRATEGY FOR REHABILITATION OF PERSONS WITH DISABILITIES

6.2.1 Physical Rehabilitation

The State will take measures for Physical rehabilitation of PWDs which means strengthening of capacities and skills, counseling at regular intervals and providing appropriate devices, corrective surgery.

1) Counseling and Medical Rehabilitation

- i) State is providing surgical corrections and intervention to PWDs through Health & Family Welfare Department and other facilities such as physiotherapy, occupational therapy, psychotherapy, speech therapy, vision assessment, vision stimulation, etc. through DDRC/ DRCs and Composite Resource Center (CRC) Sundernagar and various District Level Hospitals and Medical Colleges. Emphasis will be on corrective surgeries. SSA will be instrumental in identifying the children with special needs (CWSNs) for early intervention through corrective surgeries. Scheme may also be formulated to provide incentive to the parents of CWSNs belonging to BPL families for corrective surgeries of their children to encourage them to come forward for timely intervention.
- ii) For early intervention and counseling to the parents of children with special needs, appropriate counseling in the age group of 0-6 years and 7- 14 years will be provided by Department of Social Justice & Empowerment and Sarva Shiksha Abhiyan respectively. The organizations of PWDs and the NGOs working in the disability sector shall be associated for making the medical facilities available to PWDs along with suitable counseling for availing of such facilities to reduce their physical impediments.
- iii) State will endeavor to ensure that every district has DDRC/DRC/Therapy Unit. These units can be made functional in collaboration with the District Hospitals

and Medical Colleges to ensure medical examination of all the persons with disabilities and assessment as well as surgical intervention and distribution of recommended aids and appliances.

- iv) To extend the coverage of medical rehabilitation facilities for PWDs the state will establish a State Resource Centre (SRC) with facility for all types of specialized services. The centre will undertake the work of creation of awareness amongst masses from the grass root level to district level and provide training, coaching and referral facilities for educational, vocational and placement services to the persons with disabilities. The SRC could also coordinate the efforts of the Rehabilitation Centres established in different parts of the State.

2). Assistive Devices

- i) The State Government will take steps to assist Persons with Disabilities in procuring durable, scientifically manufactured and quality modern aids and appliances for their physical, social and psychological rehabilitation.
- ii) The department of Social Justice & Empowerment and Health & Family Welfare will be in touch with the national level Institutions having latest technologies in this area. Various services including Assistance to Persons with disabilities for the purchase of quality, durable and scientifically manufactured aids and appliances such as calipers, artificial limbs, shoes, tricycles, hearing aids etc. will be provided through the DDRCs and DRCs. State Government will also take initiative to create a corpus at the state level to provide aid to the Children with Special Needs for corrective surgery especially to those coming from poor families.
- iii) State will also take all necessary initiatives for implementation of centrally sponsored schemes such as Deendayal Rehabilitation Scheme (DDRS), Assistance to Disabled Persons for Purchase/ Fittings of Aid and Appliances (ADIPS) through Department of Health & Family Welfare, NGOs, Charitable Trusts and District Red Cross Societies in the uncovered districts.

3). Research and Development of Rehabilitation Professionals

Proper rehabilitation of PWDs requires adequate availability of expert manpower in the disability sector. The State has identified the Composite Resource Centre (CRC) set up at Sundernagar by Government of India, Ministry of Social Justice & Empowerment, for Human Resource development so that rehabilitation strategies of the state do not suffer due to dearth of professionals in this field.

- i) A pool of resource persons will be generated in the field of management, prevention, identification and rehabilitation of PWDs through the CRC Sundernagar which has introduced Diploma Courses in Special Education (Mental Retardation), Visual impairment, Hearing Language and Speech and Certificate Course in Prosthetic and Orthotics Engineering.

- ii) The State Government will also facilitate setting up of Institutes for Human Resource Development in the field of disabilities, specifically on prevention, identification and rehabilitation.
- iii) Universities and other institutions of higher learning, Governmental research units will be encouraged to undertake research for special education, rehabilitation, and manpower development or any other subject/ area deemed essential by the state government.

Research will be encouraged to be taken up in the following areas:

- to understand the causes of occurrence of disabilities; including geo spatial differentials occurrence, gender
- to help in prevention of disabilities;
- to help in early detection of disabilities;
- to help in rehabilitation including community based rehabilitation;
- to help in development of assistive devices;
- to assist in identification of avenues for economic engagement of PWDsb and suggest and offer required training for the purpose;
- to aid and assist in making on site modification of barrier free public and private premises;

6.2.2 Access to Education

1. Inclusive Education for Person with Mild/Moderate Disabilities

- i) There will be a concerted effort on the part of the Government to improve identification of children with disabilities through regular surveys, their enrollment in appropriate schools and their retention till they successfully complete their education. As per the survey conducted by SSA in the year 2010-11 , 19,242 CWSNs are receiving inclusive education in formal schools in the state. For children with mild and moderate disabilities, emphasis will be on mainstreaming them in schools for normal children.
- ii) Appropriate strategies will be adopted from time to time to retain CWSNs in schools, in the form of facilities such as free text books, free transport facilities, aids and appliances, learning tools, mobility assistance, conducive learning environment, support services and appropriate training and orientation of the teachers so that the CWSN can complete their schooling.
- iii) Simultaneously other efforts regarding access of CWSNs to various therapies for their physical rehabilitation, counseling, modified educative material according to their needs / disabilities such as Braille library, Dictaphone for visually impaired children, speech therapy for Hearing impaired children, special desks for children with muscular dystrophy etc. for their inclusion in society shall be made.
- iv) To handle the CWSNs and manage their needs in an inclusive education set up, teachers will be trained to identify these children and to fulfill their special needs by understanding them. Selected teachers will be provided in-service training in special education through short duration courses recognized by Rehabilitation Council of India followed by refresher courses so that they can

provide assistance to elementary teachers to take care of CWSNs in formal schools. Their services shall also be utilized for CWSNs covered under Home Based Education.

- v) Bridge courses will be introduced for the benefit for Visually and Hearing Impaired children enrolled in normal schools to fill up the gaps arising during mainstreamed education.
- vi) The Education Department will devise a system for tracking and monitoring the progress of all the CWSNs enrolled in inclusive education and also to take steps to check the dropout rate of such children.
- vii) The state government will ensure three percent reservation to the students with disabilities in all the government run or aided education institutions. At higher level of education where only a few seats are available, students with disabilities will be given due weightage in admission keeping in view the objective of providing such reservation to the persons with disabilities.

2). Special Schools for Children with Severe Disabilities

- I. The state will opt for the strategy of mainstreaming of Children with Special Needs through Special Schools, Inclusive Schools and Home based Education. The State viewpoint is to aid and assist in the functioning of such schools for the CWSNs.
- II. It will be the endeavor of the State Govt. to set up Special Schools in the vicinity of the other schools or community as far as possible and not in isolation for ensuring integration of the CWSNs in the society. The ultimate aim no doubt is to move towards 100% inclusion. As on date emphasis shall be on improving the existing facilities and the infrastructure.

Nine Special Schools / Homes are being run in the state for the children with severe disabilities by the state Government/ NGOs catering to the needs of children with severe disabilities. Special schools would be set up in more Districts on need basis with appropriate teacher-student ratio. The state government will encourage setting up of Special Schools in the NGO sector. Clear normative basis and minimum standards for setting up Special Schools like strength of CWSNs, infrastructure norms, payment norms, RCI registration etc will be prescribed by the State Government. Transparent policy and programmes will be devised for encouraging the NGOs for running Special Schools.

- III. Steps would be taken to strengthen and improve the facilities and provide quality education in these special schools. Appropriate environment would be created in all the educational institutions for disabled students. Apart from this the children with severe disabilities will be made part of the Education system through Home Based Education.

- IV. The NGOs running schools/homes for the children with intellectual disabilities will be encouraged through uniform transparent policy based on norms.
- V. The State will also encourage NGOs to set up Half-Way Homes for the rehabilitation of mentally disabled persons.

3) Scholarships for Children with Disabilities

Suitable reward to an intelligent student acts as a catalyst for enhancing his/her performance. The same applies more vigorously to CWSNs as their disability tends to shadow their latent talents.

- i) The state shall provide scholarships to the children with disabilities from 1st standard to post graduation level including professional and technical courses.
- ii) The state Government may relax the income criteria fixed for providing scholarships in respect of the children with severe disabilities.
- iii) The state government in a phased manner may also formulate a scheme to grant a higher quantum of assistance to the children with severe disabilities as compared to children with mild/moderately disabilities. The quantum of scholarship will be reviewed from time to time

4) Other facilities and relaxations for taking up exams

The State Policy fully recognizes the disability factor as an impediment in the performance of children which is prominently reflected during the examinations. In the prevailing evaluation system, failure in examination often proves to be the cause of dropout of children with special needs (CWSNs) from the education system.

- I. The State Government will assist the students with disabilities to pursue their education by availing the facilities such as Exemption granted for the visually impaired examinees from appearing in Mathematics paper for matriculation examination, exemption to blind, deaf & dumb examinees to opt only one language from amongst English, Hindi and Sanskrit, Exemption to visually impaired examinees from taking practical examination in the Matriculation Examination, extra time etc.
- II. Efforts will be made to introduce question papers for the visually impaired examinees in Braille by the State Education Board in due course of time and the papers will be evaluated by the special teachers. Similarly requisite provisions including objective type question papers will also be introduced to enable the hearing impaired students to take up examinations and to assess their performance.
- III. Instructions of the State Government for providing various benefits to such examinees like extra time, exemption from certain subjects etc.

will be widely publicized by the Education Department and HP School Education Board to enable maximum students with disabilities to avail the benefits.

- IV. Hostel facilities will be provided to the children with disabilities on priority basis wherever hostels are available.
- V. Easy Loans will be provided through HPMFDC to persons with disabilities for pursuing higher studies.

5). Vocational Training

The State understands the need for creating more avenues of vocational training for PWDs in convergence with NGOs and formulation of rehabilitation schemes for them by upgrading the existing infrastructure. Persons with Disability require appropriate training and skill upgradation in vocations and trades which are suitable for them.

- i) The State will endeavor to establish facilities for technical and vocational education to inculcate and bolster skill development among PWDs for their economic rehabilitation in a manner suitable to their adaptive capabilities. The State intends to promote the rehabilitation of PWDs by imparting training through the institutions being run by different Government agencies or private institutions.
- ii) More vocations and trades will be added to the existing stream of vocations being covered in the Special ITI Sundernagar/ other ITIs and the Vocational Rehabilitation Centre, Una to enable them to become economically independent in a sustainable manner and also help in confidence building.
- iii) Need based vocational training will be provided in suitable trades and short duration training courses will be designed by the Technical Education Department in consultation with the Department of Social Justice & Empowerment. Programmes as per necessity shall be prepared for giving training to the PWDs, especially those belonging to the BPL families and necessary provisions shall be incorporated to provide financial assistance during such trainings. Assistance shall also be provided for very high level technical and professional courses involving very high cost to the PWDs. They will also be provided opportunity to take benefit of training programmes and courses conducted by National level Organisations.

6.2.3 Economic Rehabilitation

The following strategies for economic empowerment shall be adopted:

1). Employment in Government Sector:-

- i) The state has provided for 1% reservation each for the Persons with Visual, Hearing and Orthopedic impairment in respect of Class-I to IV posts in Government jobs. This provision will be implemented effectively to provide opportunities to the deserving persons with disabilities on the basis of proper

identification of posts. The state will also explore the possibility and scope for providing reservation to the person with intellectual disabilities in the government sector keeping in view the job requirement and the capacities of such persons to discharge the job related responsibilities.

- ii) The Special Employment Exchange set by the state government in the Department of Labour and Employment will be strengthened to cater to the needs of the PWDs and discharge its functions effectively.
- iii) R & P rules in respect of the posts identified for the persons with disabilities will be suitably amended the respective departments.
- iv) The State Government will take appropriate measures for the training of the PWDs recruited in government jobs in a phased manner so as to enable them to discharge their duties effectively. Software and requisite equipments will be provided to the visually impaired government employees by the respective departments to enable them to discharge their duties efficiently.
- v) Fresh medical/disability certificates showing the latest status will be taken from the PWDs at the time they are given appointment to ensure that only the truly deserving get the benefit.
- vi) For the placement and transfer of the employees with severe disabilities, it is the policy of the state Government to give stations of their choice to the employees with 60% or higher disability, as far as possible. The state government in addition to above provision will also formulate a policy to adjust the spouse of person with disability nearer to the workplace or residence of the PWD as far as possible and similar benefit will also be made available to the parents of children with severe disabilities.
- vii) The state Government shall provide appropriate conveyance allowance to the PWDs employees in Government sector.

2) Employment Opportunities in Other Sectors:-

Ensuring effective placement of the PWDs is a priority of the Government to facilitate their training and gainful employment in private sector through effective convergence with business and industry.

- i) The State government will devise appropriate schemes to encourage the employers to provide employment opportunities to persons with disabilities in their organizations.
- ii) The matter to make reservation in the Cooperative banks as well as private sector up to minimum 3 % for persons with disabilities will also be taken up on the basis of identification of jobs and skill set/training required for the same through the Industries/Coopertive department.

- ii) Suitable trades and categories of posts for PWDs will be identified by the department of industries wherein they can be provided training and employment in the private sector.

3) Self-Employment:

- i) The State Policy envisages encouraging PWDs for self-employment. The policy of 3% reservation for the persons with disabilities in all poverty alleviation programmes will be implemented effectively.
- ii) Various enabling measures taken by the state including 3% reservation for PWDs in Allotment, Management and Sale of Houses/Plots Regulation Act, 1973, provision for allotment of 2% stalls to PWDs as per the Leasing out of Stalls Shops constructed by the Municipalities in H.P., Rules 2001, providing 25 sq mts land to set up own stalls/ shops etc shall be widely publicized and implemented effectively so that economic opportunities can be provided to them on priority.
- iii) Persons with disabilities will be provided finance for self-employment on easy terms and conditions through Himachal Pradesh Minorities Finance & Development Corporation. The Himachal Pradesh Minorities Finance & Development Corporation will take steps to dispose off such cases promptly with minimum delays.
- iv) Industrial plots can be considered to be provided to the persons with disabilities on concession for taking up income generating activities.
- v) SHGs of the persons with disabilities will be encouraged and appropriate trainings and assistance will be provided to them to enable them to take up sustainable income generating activities.

6.2.4 Social Rehabilitation

- i) The state is providing social security to the PWDs by providing them Disability Relief Allowance (DRA) @ Rs 330/-per month and 25796 PWDs are being covered under this scheme. For providing Disability Rehabilitation Allowance, the income criterion will be reconsidered from time to time to make it realistic. The amount of social security under DRA will also be increased from time to time depending on the financial position of the state. Income criteria for providing DRA to the person with severe disabilities may be further relaxed. The state Government may also consider to provide higher quantum of assistance to the persons with severe disabilities as compared to persons having mild/moderately disabilities.
- ii) State will take suitable initiatives to ensure speedy disbursement of Disability Relief Allowance to PWDs using IT tools and bio-metric identification, at their door steps, thereby also eliminating the possibility of misuse of allowance meant for PWDs by other persons.
- iii) Local level committees' have been formed at the district level to appoint Legal Guardians for Persons with autism, cerebral palsy, mental retardation and

multiple disabilities under National Trust Act, 1999. The committees will be made more effective and responsive to the needs of persons with disabilities.

- iv) PWDs, like normal persons, have every right to enjoy all aspects of life including marital life in a dignified manner. Therefore 'marriage grant' is also being provided to the individuals marrying persons with disabilities, by the state Government. Quantum of assistance under Marriage Grant will be reviewed from time to time so that a reasonable amount is as incentive.
- v). The State Government, depending upon its financial capacity, may also formulate a scheme to provide marriage grant to the children of economically weak PWDs.
- vi) Under Centrally sponsored scheme 'Deen Dayal Rehabilitation Scheme for the Persons with Disabilities" more NGOs of the state will be encouraged to take up projects to run Homes and Day Care Centres for rehabilitation of leprosy cured persons, persons with cerebral palsy, multiple disabilities, intellectual disability in such a manner every district subject to the intake capacity has at least one Home/Centre for such children/ persons. Efforts will also be made to set up Respite Care Centres in the districts with fixed number of seats for the CWSNS/ persons.
- vii). "Niramaya" a health insurance scheme introduced by the National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities will be implemented in coordination with the NGOs in the state.

6.3 STRATEGY TO PROVIDE ENABLING ENVIRONMENT

The state shall adopt following strategies to provide enabling environment for the persons with the disabilities.

6.3.1 Barrier free environment :-

- I. The State will encourage the measures which would facilitate a barrier free environment including features such as ramps in the existing as well as new constructions, especially in Government buildings and public places such as schools, hospitals, rehabilitation centers, religious places etc., adaptation of toilets for wheel chair users, installation of symbol/auditory signals in the lifts/ elevators, capacity building of manpower as a resource pool of access auditors, engaging the access auditors in conducting access audit of public buildings of the state.
- II. The concessional travel facilities and specifications relating to the buses will be appropriately considered and reviewed from time to time keeping the resources of the State in view.
- III. It will be ensured that meetings /interviews for persons with disabilities in Government Departments are conducted in barrier free places.
- IV. Under the Motor Vehicle Act, it will be ensured that the steps of all buses procured in future are not more than 500mm and not less than 400mm in height.

- V. To make traveling and journeys more disabled friendly, steps will be taken to make maximum bus stands barrier free in a phased manner.
- VI. Access Officers will be appointed in all the Districts who will be responsible to monitor and report the incidences and cases of non compliance related to barrier free access.
- VII. All the departmental websites will be made disabled friendly.

6.3.2 Providing disability Identity cards to the Persons with Disabilities

- i) Computerized disability cards are being issued to the PWDs by District Welfare Officers. It will further be ensured that all the persons having disability of 40 % or more are provided Disability Identity Cards in a fixed time schedule. The PWDs are entitled for free traveling facilities on the basis of these cards as per the criteria laid down by the State Government. Railway passes will also be provided to the interested cardholders at the time of providing the identity Cards.
- ii). The State will also facilitate issuance of disability cards through Lok Mitra Kendras being set up at the Panchayat level after completion of medical certification.

6.3.3 Capacity Building

- i) The state will take steps to build capacity of agencies including the Government departments working in the disability sector to impart them the necessary knowledge, skills and systems to address disability issues.
- ii) It will be ensured that Government departments and agencies take disability issues into account when making decisions in a wide range of sectors, for example, addressing longstanding barriers in transport, sports and recreation, setting up of Homes for Mentally challenged children, recognizing contributions made by organizations or individuals to the disabled sector, compiling regular information on PWDs.
- iii) Initiative will be taken to foster an aware and responsive administration by ensuring that Government agencies, publicly funded services and publicly accountable bodies are made aware and are responsive to persons with disabilities.
- iv) There is a need to build up a conducive environment for the PWDs at their workplace to enable them to give their best. Necessary orientation of the employers including the government departments as well as private employers will be ensured in this regard to keep them updated with latest developments in the field of disability.

- v) Capacity of school teachers and Anganwadi workers will be built up so as to provide for the best education for Children with Special Needs.

6.3.4 Promotion of Non-Governmental Organization (NGOs)

- i) The Govt. shall provide merit based grant-in-aid to NGOs for awareness generation and sensitization of masses towards disabilities, implementation of National schemes like ADIPs, imparting education to Children with Special Needs through Special Schools, providing Home Based Education to Children with severe disabilities, taking measures for capacity building of community based rehabilitative workers etc. It will be ensured that the Special Schools being run by the NGOs fulfill the related norms and standards and Special Educators engaged by them are qualified and registered with the Rehabilitation Council of India
- iii) It will be made mandatory for the NGOs running special schools and institutions to get themselves registered under the PWD Act. This will provide opportunities to the NGOs for up gradation of skills as well as regular orientation. It goes without saying that the NGOs have a significant advisory role in planning, policy formulation, implementation and information sharing on best practices. They will be encouraged and facilitated to play this role effectively.
- iii) The need to have transparency and accountability in the functioning of any organization working in the area of disability is of utmost importance for best results. Appropriate steps will be taken in this regard also by devising mechanism for quality control and verification of activities undertaken, regular reporting and monitoring etc. so that all the prescribed standards are met with.
- iv). The NGOs will be encouraged to mobilize their own resources also to complement the efforts of the Government.

6.3.5 Performance Based Incentives to Persons with Disability, Private Employers and NGOs

- i) Awards will be given to the persons with disabilities of various categories who with their exceptional achievements have proved themselves to be a role model for other PWDs. Such awards will be given to the awardees on the World Disability Day celebrated on 3rd December every year.
- ii) The employers in private sectors who will provide employment opportunities to maximum persons with disabilities will be recognized by giving appropriate incentives.
- iii) The NGOs working in the state for empowerment and welfare of the PWDs will also be rewarded for their contribution which will encourage more dedicated organizations to work in this sector. The NGOs mobilizing their own resources

and taking up activities in the difficult and uncovered areas will be given priority.

6.3.6 Promoting Sports, Recreation and Cultural life for Persons with Disabilities.

- i) The State Govt. would promote PWDs for participating in National events, Special Olympics, Cultural events, etc. within and outside the state. Important Days like World Disability Day will be used as occasions to promote participation of PWDs in cultural and recreational activities at all levels in the state including district and state level.
- ii) The State Govt. will take steps to organize State and district level sports and cultural events to provide opportunity to the PWDs for physical fitness, display of their talent, inciting a sense of competition in the young sports persons and honour their achievements.
- iii) Sports hostels on need basis will be made available for PWDs at District level.

6.3.7 Strengthening of State Commissioner of Disability :

Institution of the State Commissioner will be strengthened in order to coordinate with the different departments for effective implementation of schemes related to the persons with disabilities and monitoring of utilization of funds and to safeguard the rights and facilities made available to the persons with disabilities. An annual report on implementation of the Act will be submitted to the State Government.

7. IMPLEMENTATION OF THE STATE POLICY :

The Department of Social Justice and Empowerment will be the nodal department to coordinate all matters relating to the implementation of the Policy. In addition to implementing its own programme and schemes, the Department will play a pro-active role in pursuing with concerned authorities any issues which impinge on the rights of the persons with disabilities. The Departments of Health & Family Welfare, Education, Transport, PWD and Industries will be major partners of the department although all the departments will be required to be actively involved in the implementation of related activities.

The State Commissioner shall play key role in monitoring the implementation of State policy apart from their statutory responsibilities.

All Government departments would develop a strategy for dealing with disability in their respective area of responsibility and also prepare work plans that specify actions each department will take to implement the strategy. This will provide an enduring framework to ensure that Government departments and agencies consider disabled people before making decisions in all related aspects.

Government departments would submit their plans to the Nodal Department i.e. Department of Social Justice & Empowerment. These plans would focus on the following implementation activities:

- understanding the context of disability issues and developing a framework that will enable the Government to begin removing the barriers that prevent people with disabilities from participating fully in society.
- making budgetary provisions for maximizing opportunities for persons with disabilities in the Departmental Plans.
- developing policies that will make a difference for the PWDs. The policies should enable a society that highly values the lives and continually enhances full participation of persons with disabilities by involving them.
- ensuring interagency co-ordination and collaboration for betterment of the Persons with Disabilities
- ensuring that human rights of the persons with disabilities are protected and there is no discrimination against them.

An inter Department body to co-ordinate matters relating to implementation of State policy will be formed.

Panchayati Raj Institutions and Urban Local Bodies will be encouraged to participate in the implementation of the State policy to address local level issues and draw up suitable programmes which will be integrated with the Village and District plans.

Every five years a detailed review will be done on the implementation of the State policy. The review will be a public document and will be discussed in a State convention.

Annexure-I

Age –wise Survey of PWDs in the State (2007-08)					
Age group	OH	VI	HI	MR	Total
0 to1	72	30	20	24	146
1 to 6	1002	260	268	342	1872
6 to11	2196	618	750	927	4491
11 to 18	4189	1297	1347	1629	8462
18 & Above	28790	8406	9539	5226	51961
Total	36249	10611	11924	8148	66932