

Amendments proposed in the Persons with Disabilities Act, 1995

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
Chapter I- Preliminary		
1	2. In this Act, unless the context otherwise requires,- (a) "Appropriate Government" means,- (i) In relation to the Central Government or any establishment wholly or substantially financed by that Government, or a Cantonment Board constituted under the Cantonment Act, 1924, the Central Government ; (ii) In relation to a State Government or any establishment wholly or substantially financed by that Government, or any local authority, other than a Cantonment Board, the State Government; (iii) In respect of the Central Co-ordination Committee and the Central Executive Committee, the Central Government; (iv) In respect of the State Co-ordination Committee and the State Executive Committee, the State Government;	2. In this Act, unless there is anything repugnant in the subject or context,- (a) "Appropriate Government" means,- (i) In relation to an establishment of the Central Government, or an establishment, wholly or substantially owned or financed by that Government, or a Cantonment Board constituted under the Cantonment Act, 1924, or a union territory without legislature, or the provider of a service which pertains to List I in Schedule VII of the Constitution, the Central Government ; (ii) In all other cases, the State Government or, as the case may be, the Government of a UT with legislature. (iii) In respect of the Central Board, the Central Committee, and the Chief Commissioner, the Central Government; (iv) In respect of a State Board, the State Committee, and the State Commissioner, the State Government;

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
Chapter I- Preliminary		
2	New Provision	2(aa) “autism” means a condition of uneven skill development primarily affecting the communication and social abilities of a person, marked by repetitive and ritualistic behaviour; (to be inserted after 2(a) in Chapter I)
3	2(b) "blindness" refers to a condition where a person suffers from any of the following conditions, namely:- (i) Total absence of sight; or (ii) Visual acuity not exceeding 6/60 or 20/200 (snellen) in the better eye with correcting lenses; or (iii) Limitation of the field of vision subtending an angle of 20 degree or worse;	2(b) “blindness” refer to a condition where a person suffers from any of the following conditions, namely:- (i) Total absence of sight; or (ii) Visual acuity not exceeding 3/60 or 10/200 (snellen) in the better eye with best correcting lenses; or (iii) Limitation of field of vision subtending an angle of 10 degree or worse;
4	(c) "Central Co-ordination Committee" means the Central Co-ordination Committee constituted under sub-section (1) of section 3;	2(c) “Central Board” means the Central Advisory Board constituted under sub-section (1) of section 3. (The phrase "Central Co-ordination Committee" shall be replaced with “Central Advisory Board” wherever it appears in sections 3 to 8, 23 and 24 of the Act.)
5	(d) "Central Executive Committee" means the Central Executive Committee constituted under sub-section (1) of section 9;	2(d) “Central Committee” means the Central Coordination and Monitoring Committee constituted under sub-section (1) of section 9. (The phrase "Central Executive Committee" shall be replaced with “Central Coordination and Monitoring Committee” wherever it appears in sections 9 to 12 and 24 of the Act.)

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
6	New Provision	2(ga). “communication” includes languages, display of text, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology; (to be inserted after 2(g) in Chapter I)
7	2(i): ‘disability’ means- (i) blindness; (ii) low vision; (iii) leprosy-cured; (iv) hearing-impaired; (v) locomotor disability; (vi) mental retardation; (vii) mental illness;	2(i) : ‘disability’ means- (i) autism; (ii) blindness; (iii) low vision; (iv) leprosy-cured; (v) hearing-impaired; (vi) locomotor disability; (vii) mental retardation; (viii) mental illness; (ix) multiple disability;
8	New Provision	2(ia) “discrimination on the basis of disability” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation and the term “non-discrimination” shall be interpreted accordingly; (to be inserted after 2(i) in Chapter I)
9	New Provision	2(ib) “District Committee” means a District-level Committee on Disability constituted under sub-section (1) of Section 19B.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
Chapter I- Preliminary		
10	New Provision	2 (ka) “Fund” means the National Fund for Persons with Disabilities established under Section 68 B. (to be inserted after 2(k) in Chapter I)
11	2(l) " Hearing impairment " means loss of sixty decibels or more in the better ear in the conversational range of frequencies;	2(l) " Hearing impairment " means sensorineural hearing loss of forty five decibels (dBHL) or more in the better ear in conversational range of frequencies and the binaural loss of forty percent, or Word Recognition Score of forty percent or less;
12	New Provision	2(la) “ inclusive environment ” in relation to education of students with disabilities means a system which supports students with disabilities to study in educational institutions with their peer group without disabilities, on an equitable basis.
13	New Provision	2(lb) “ language ” includes spoken and sign languages and other forms of non spoken languages;
14	New Provision	2(na) “Local authority” means a panchayat, a municipality and any other local authority established by or under an Act, and includes a "Local authority" as defined in clause (31) of Section 3 of the General Clauses Act, 1987. (to be inserted after 2 (n) in Chapter I)
15	New Provision	2(ra) "multiple disabilities" means a combination of two or more disabilities as listed at S. No. (i) – (viii) in clause (i) of section 2. (to be inserted after 2(r) in Chapter I)

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
Chapter I- Preliminary		
16	New Provision	2(ta) “Person with severe disability” means a person with 80% or more of one or more disabilities , as certified by a medical authority , and the phrase “Child with severe disability” shall be construed accordingly, (to be inserted after 2(t) in Chapter I)
17	2(u) "person with low vision" means a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or executor of a task with appropriate assistive device;	2(u) "person with low vision" means a person with impairment of vision of less than 6/18 to 4/60 with best correction in the better eye or impairment of field of vision in any one of the following categories:- (a) Reduction of field less than 50 degrees (b) Hemianopia with macular involvement (c) Altitudinal defect involving lower fields
18	New Provision	2(va) “poverty alleviation schemes” means schemes and programmes of the Central Government, State Government or a local authority aimed at alleviation of poverty. (to be inserted after 2 (v) in Chapter I)
19	New Provision	2(vb) ‘public building’ means a building, irrespective of ownership, which is used by the public at large.
20	New Provision	2(vc) “reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;
21	2(w): “rehabilitation” refers to a process aimed at enabling persons with disabilities to reach and maintain their optimal physical, sensory, intellectual, psychiatric or social functional levels.	2(w): “rehabilitation” refers to a process aimed at enabling persons with disabilities to attain and maintain maximum independence, full physical, sensory, intellectual, psychiatric, social and vocational ability, and full inclusion and participation in all aspects of life.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
22	2(y) "State Co-ordination Committee" means the State Co-ordination Committee constituted under sub-section (1) of section 19;	2(y) "State Board" means the State Advisory Board constituted under sub-section (1) of section 13. (The phrase "State Co-ordination Committee" shall be replaced with "State Advisory Board" wherever it appears in sections 13 to 18, 23 and 24 of the Act.)
23	2(z) "State Executive Committee" means the State Executive Committee constituted under sub-section (1) of section 19	2(z) "State Committee" means the State Coordination and Monitoring Committee constituted under sub-section (1) of section 19. (The phrase "State Executive Committee" shall be replaced with "State Coordination and Monitoring Committee" wherever it appears in sections 19 to 22 and 24 of the Act.)
24	New Provision	2(za) "universal design" means the design of products, environments, programmes and services to be usable by all people, including persons with disabilities to the greatest extent possible, without the need for adaptation or specialized design.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
25	Chapter II - Central Co-ordination Committee	Chapter II - Central Advisory Board
26	3. Central Co-ordination Committee – (1) The Central Government shall by notification constitute a body to be known as the Central Co-ordination Committee to exercise the powers conferred on, and to perform the functions assigned to it, under this Act. (2) The Central Co-ordination Committee shall consist of- (a) The Minister-in-charge of the Ministry of Social Welfare in the Central Government, Chairperson, ex officio; (b) The Minister of State-in-charge of the Ministry of Social Welfare in the Central Government, Vice Chairperson, ex officio; (c) Secretaries to the Government of India in-charge of the Ministries/ Departments of Social Justice & Empowerment, Human Resource Development, Woman and Child Development, Expenditure, Personnel Training and Public Grievances, Health & Family Welfare, Rural Development, Industrial Development, Urban Affairs and Employment, Science and Technology, Legal Affairs, Public	3. Central Advisory Board – (1) The Central Government shall by notification constitute a body to be known as the Central Advisory Board to exercise the powers conferred on, and to perform the functions assigned to it, under this Act. (2) The Central Advisory Board shall consist of- (A) The Minister-in-charge of the Ministry in the Central Government which nodally deals with disability matters, Chairperson, ex officio; (B) The Minister of State-in-charge in the Ministry in the Central Government which nodally deals with disability matters, Vice Chairperson, ex officio; (C) Members, ex officio: (a) Secretaries to the Government of India in-charge of the Ministries/Departments nodally dealing with the following subjects: - (i) Disability; (ii) School Education & Literacy, and Higher Education; (iii) Women & Child Development; (iv) Finance (Expenditure); (v) Personnel & Training;

Enterprises, Members, ex officio; (d) Chief Commissioner for Persons with Disabilities, Member, ex officio; (e) Chairman Railway Board, Member, ex officio; (f) Director-General of Labour, Employment and Training, Member, ex officio; (g) Director, National Council for Educational Research and Training, Member, ex officio; (h) Three Members of Parliament. of whom two shall be elected by the House of the People and one by the Council of States, Members;	(vi) Health & Family Welfare (vii) Rural Development; (viii) Panchayati Raj; (ix) Industrial Policy & Promotion; (x) Urban Development; (xi) Housing & Urban Poverty Alleviation; (xii) Science and Technology; (xiii) Legal Affairs; (xiv) Public Enterprises; (xv) Youth Affairs & Sports; (xvi) Surface Transport and Highways. (xvii) Civil Aviation (b) Secretary, Planning Commission, (c) Chief Commissioner for Persons with Disabilities, (d) Chairperson, Rehabilitation Council of India; (e) Chairperson, National Trust for Welfare of persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities; (f) Chairman, Railway Board; (g) Director-General of Labour, Employment and Training; (h) Director, National Council for Educational Research and Training; (i) Chairperson, National Council of Teacher Education (j) Chairperson, University Grants Commission;
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(i) Three persons to be nominated by the Central Government to represent the interests, which in the opinion of that Government ought to be represented, Members; (j) Directors of the- (i) National Institute for the Visually Handicapped, Dehradun; (ii) National Institute for the Mentally Handicapped, Secundrabad; (iii) National Institute for the Orthopedically Handicapped, Calcutta; (iv) Ali Yavar Jung National Institute for the Hearing Handicapped, Bombay, ex officio; (k) Four Members to be nominated by the Central Government by rotation to represent the States and the Union territories in such manner as may be prescribed by the Central Government: Provided that no appointment under this clause shall be made except on the recommendation of the State Government or, as the case may be, the Union territory; (l) five persons as far as practicable, being persons with disabilities, to	(k) Chairperson, Medical Council of India. (l) Directors of the- (i) National Institute for the Visually Handicapped, Dehradun; (ii) National Institute for the Mentally Handicapped, Secundrabad; (iii) National Institute for the Orthopedically Handicapped, Calcutta; (iv) Ali Yavar Jung National Institute for the Hearing Handicapped, Bombay, (v) National Institute for Empowerment of Persons with Multiple Disabilities, Chennai, (vi) National Institute for Mental Health and Sciences, (NIMHANS), Bangalore, (D) Three Members of Parliament. of whom two shall be elected by the House of the People and one by the Council of States; (E) Members to be nominated by the Central Government: (a) Five persons who are either experts in the field of disability and rehabilitation represent interests, which in the opinion of the Government ought to be represented; (b) Five Members to be nominated by the Central Government by rotation to represent the States and the Union territories in such manner as may be prescribed:
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represent non-governmental organizations or associations which are concerned with disabilities, to be nominated by the Central Government, one from each area of disability, Members: Provided that while nominating persons under this clause, the Central Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes; (m) Joint Secretary to the Government of India in the Ministry of Welfare dealing with the welfare of handicapped, Member-Secretary, ex officio. (3) The office of the Member of the Central Co-ordination Committee shall not disqualify its holder for being chosen as or for being a Member of either House of Parliament.	Provided that no nomination under this sub-clause shall be made except on the recommendation of the State Government or, as the case may be, the Union Territory; (c) Nine persons as far as practicable, being persons with disabilities, to represent non-governmental organizations or associations which are concerned with disabilities, such that there is one person associated with each of the disabilities specified in Clause (i) of Section 2: Provided that of the nine persons nominated under this clause, at least, three shall be women and at least one person each shall be from a Scheduled Caste and a Scheduled Tribe; (F) Joint Secretary to the Government of India in-charge of the subject matter relating to persons with disabilities, Member-Secretary, ex officio. (3) The office of the Member of the Central Advisory Board shall not disqualify its holder for being chosen as or for being a Member of either House of Parliament.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
7	4. Term of office of Members – (1) Save as otherwise provided by or under this Act a Member of Central Co-ordination Committee nominated under clause (i) or clause (l) of sub-section (2) of section 3 shall hold office for a term of three years from the date of his nomination: Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office. (2) The term of office of an ex officio Member shall come to an end as soon as he ceases to hold the office by virtue of which he was so nominated. (3) The Central Government may if it thinks fit remove any Member nominated under clause (i) or clause (1) of sub-section (2) of the section 3, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same. (4) A Member nominated under clause (i) or clause (1) of sub-section (2) of section 3 may at any time resign his office by writing under his hand addressed to the Central Government and the seat of the said Member shall thereupon become vacant.	4. Term of office of Members – (1) Save as otherwise provided by or under this Act a Member of Central Board nominated under clause (a) or clause (c) of sub-section (2)(E) of section 3 shall hold office for a term of three years from the date of his nomination: Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office. (2) The Central Government may if it thinks fit remove any Member nominated under clause (a) or clause (c) of sub-section (2)(E) of the section 3, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same. (3) The Central Government may if it thinks fit remove any Member nominated under clause (a) or clause (c) of sub-section (2)(E) of the section 3, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same. (4) A Member nominated under clause (a) or clause (c) of sub-section (2)(E) of section 3 may at any time resign his office by writing under his hand addressed to the Central Government and the seat of the said Member shall thereupon become vacant.

	(5) A casual vacancy in the Central Co-ordination Committee shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated. (6) A Member nominated under clause (i) or clause (l) of sub-section (2) of section 3 shall be eligible for renomination. (7) Members nominated under clause (i) and clause (1) of sub-section (2) of section 3 shall receive such allowances as may be prescribed by the Central Government.	(5) A casual vacancy in the Central Board shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated. (6) A Member nominated under clause (a) or clause (c) of sub-section (2)(E) of section 3 shall be eligible for renomination. (7) Members nominated under clause (a) and clause (c) of sub-section (2)(E) of section 3 shall receive such allowances as may be prescribed by the Central Government.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
28	8. Functions of the Central Co-ordination Committee – (1) Subject to the provisions of this Act, the function of the Central Coordination Committee shall be to serve as the national focal point on disability matters and facilitate the continuous evolution of a comprehensive policy towards solving the problems faced by persons with disabilities. (2) In particular and without prejudice to the generality of the foregoing, the Central Coordination Committee may perform all or any of the following functions, namely:- (a) review and coordinate the activities of all the Departments of Government and other Governmental and Non-Governmental Organizations which are dealing with matters relating to persons with disabilities; (b) develop a national policy to address issues faced by, persons with disabilities; (c) advise the Central Government on the formulation of policies, programmes, legislation and projects with respect to disability; (d) take up the cause of persons with disabilities with the concerned authorities and the international	8. Functions of the Central Board. – (1) Subject to the provision of this Act, the Central Board shall be the national-level consultative and advisory body on disability matters, and shall facilitate the continuous evolution of a comprehensive policy towards solving the problems faced by persons with disabilities. (2) In particular and without prejudice to the generality of the foregoing, the Central Board shall perform the following functions, namely: (a) advise Central and State Governments on policies, programmes, legislation and projects with respect to disability; (b) evolve a national policy to address issues faced by persons with disabilities; (c) review and coordinate the activities of all Departments of Government and other Governmental and non-Governmental Organizations which are dealing with matters relating to persons with disabilities. (d) take up the cause of persons with disabilities with concerned authorities and international organizations with a

	organizations with a view, to provide for schemes and projects for the disabled in the national plans and other programmes and policies evolved by the international agencies; (e) review in consultation with the donor agencies their funding policies from the perspective of their impact on persons with disabilities; (f) take such other steps to ensure barrier-free environment in public places, work-places, public utilities, schools and other institutions; (g) monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of persons with disabilities; (h) to perform such other functions as may be prescribed by the Central Government.	view to provide for schemes and projects for the disabled in the national plans and other programmes and policies evolved by the international agencies; (e) review in consultation with the donor agencies, their funding policies from the perspective of their impact on persons with disabilities. (f) recommend steps to ensure barrier-free environment in public places, work-places, public utilities, schools and other institutions; (g) monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of persons with disabilities; and (h) to perform such other functions as may be prescribed.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
29	9. Central Executive Committee. – (1) The Central Government shall constitute a Committee to be known as the Central Executive Committee to perform the functions assigned to it under this Act. (2) The Central Executive Committee shall consist of- (a) the Secretary to the Government of India in the Ministry of Welfare, Chairperson, ex officio; (b) the Chief Commissioner, Member, ex officio; (c) the Director-General for Health Services, Member, ex officio; (d) the Director-General, Employment and Training, Member, ex officio; (e) six persons not below the rank of a Joint Secretary to the Government of India, to represent the Ministries or Departments of Rural Development, Education, Welfare, Personnel, Public Grievances and Pension and Urban Affairs and Employment, Science and Technology, Members, ex officio;	9. Central Coordination and Monitoring Committee. – (1) The Central Government shall constitute a Committee to be known as the Central Coordination and Monitoring Committee to perform the functions assigned to it under this Act. (2) The Central Committee shall consist of- (A) The Secretary to the Government of India in the Ministry nodally dealing with the disability matters, Chairperson, ex officio; (B) Members ex-officio (a) The Chief Commissioner for Persons with Disabilities; (b) Chairperson, Rehabilitation Council of India; (c) Chairperson, National Trust for welfare of persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities; (d) The Director-General for Health Services; (e) The Director-General, Employment and Training;

	(f) the Financial Advisor, Ministry of Welfare in the Central Government, Member, ex officio; (g) Advisor (Tariff) Railway Board, Member, ex officio; (h) four members to be nominated by the Central Government, by rotation, to represent the State Governments and the Union territories in such manner as may be prescribed by the Central Government. (i) one person to be nominated by the Central Government to represent the interest, which in the opinion of the Central Government ought to be represented, Member; (j) five persons, as far as practicable, being persons with disabilities, to represent non-governmental organizations or associations which are concerned with disabilities, to be nominated by the Central Government, one from each area of disability, Members: Provided that while nominating persons under this clause, the Central Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes;	(f) Representatives not below the rank of a Joint Secretary, to represent the Ministries or Departments nodally dealing with School Education & Literacy, Higher Education, Personnel & Training, Urban Development; (g) The Financial Advisor, Ministry of Social Justice & Empowerment in the Central Government,; (h) Advisor (Tariff) Railway Board; (C) Members to be nominated by the Central Government: (a) Five members, by rotation, to represent the State Governments and the Union territories in such manner as may be prescribed by the Central Government. (b) One person to represent interests, which in the opinion of the Central Government ought to be represented; (c) Five persons, as far as practicable, being persons with disabilities, to represent non-governmental organizations or associations which are concerned with disabilities, one from each area of disability by rotation: Provided that the Central Government shall ensure that all types of disabilities are represented over the two tenures of the Committee; Provided further that while nominating persons under this clause, the Central Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes;
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	(k) Joint Secretary to the Government of India in the Ministry of Welfare dealing with the welfare of the handicapped, Member-Secretary, ex officio. (3) Members nominated under clause (i) and clause (j) of sub-section (2) shall receive such allowances as may be prescribed by the Central Government. (4) A Member nominated under clause (i) or clause (J) of sub-section (2) may at any time resign his office by writing under his hand addressed to the Central Government and the seat of the said Member shall thereupon become vacant.	(d) Joint Secretary to the Government of India in-charge of the subject matter relating to persons with disabilities, Member-Secretary, ex officio. (3) Members nominated under clause (b) and clause (c) of sub-section (2)(B) of this section shall receive such allowances as may be prescribed by the Central Government.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
30	New Provision	9A. Term of office of Members. – (1) Save as otherwise provided by or under this Act a Member of the Central Committee nominated under clause (a) and clause (c) of sub-section (2)(C) of section 9 shall hold office for a term of three years from the date of nomination. Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office. (2) The Central Government may if it thinks fit remove any Member nominated under clause (a) or clause (c) of sub-section (2)(C) of the section 3, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same. (3) A Member nominated under clause (a) or clause (c) of sub-section (2)(C) of section 3 may at any time resign his office by writing under his hand addressed to the Central Government and the seat of the said Member shall thereupon become vacant. (4) A casual vacancy in the Central Co-ordination Committee shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated.

		(5) A Member nominated under clause (a) or clause (c) of sub-section (2)(C) of section 3 shall be eligible for renomination. (6) Members nominated under clause (a) and clause (c) of sub-section (2)(C) of section 3 shall receive such allowances as may be prescribed by the Central Government.
31	10. Functions of the Central Executive Committee – (1) The Central Executive Committee shall be the executive body of the Central Coordination Committee and shall be responsible for carrying out the decisions of the Central Coordination Committee. (2) Without prejudice to the provisions of sub-section (1), the Central Executive Committee shall also perform such other functions as may be delegated to it by the Central Coordination Committee.	10. Functions of the Central Committee The Central Committee shall perform the following functions, namely:- i) monitor action taken on the advice and recommendations of the Central Board; ii) coordinate between various Ministries and other concerned agencies in matters relating to disability; and iii) perform such other functions as may be prescribed or as may be delegated to it by the Central Board.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
32	Chapter III - The State Coordination Committee	Chapter III - The State Advisory Board & District Level Committee
33	13. State Co-ordination Committee. – (1) Every State Government shall, by notification, constitute a body to be known as the State Co-ordination Committee to exercise the powers conferred on, and to perform the function assigned to it, under this Act. (2) the State Coordination Committee shall consist of- (a) The Minister-in-charge of the Department of Social Welfare in the State Government, Chairperson, ex officio; (b) the Minister of State in charge of the Department of Social Welfare, if any, Vice-Chairperson, ex officio; (c) Secretaries to the State Government in charge of the Departments of Welfare, Education, Woman and Child Development, Expenditure, Personnel Training and Public Grievances, Health, Rural Development, Industrial Development, Urban Affairs and Employment, Science and Technology, Public Enterprises, by whatever name called, Members, ex officio; (d) Secretary of any other Department,	13. State Advisory Board – (1) Every State Government shall, by notification, constitute a body to be known as the State Advisory Board to exercise the powers conferred on, and to perform the function assigned to it, under this Act. (2) the State Advisory Board shall consist of- (A) The Minister-in-charge of the Department in the State Government which nodally deals with disability matters, Chairperson, ex officio; (B) the Deputy Minister-in-charge of the Department in the State Government which nodally deals with disability matters, if any, Vice-Chairperson, ex officio; (C) Members, ex officio: (a) Secretaries to the State Government in-charge of the Departments nodally dealing with the following subjects : (i) Disability; (ii) School Education & Literacy, and Higher Education; (iii) Women and Child Development; (iv) Finance(Expenditure); (v) Personnel & Training; (vi) Health and Family Welfare;

which the State Government considers necessary, Member, ex officio; (e) Chairman Bureau of Public Enterprises (by whatever name called) Member, ex officio; (f) five persons, as far as practicable, being persons with disabilities, to represent non-governmental organizations or associations which are concerned with disabilities, to be nominated by the State Government, one from each area of disability, Members: Provided that while nominating persons under this clause, the State Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes; (g) three Members of State Legislature, of whom two shall be elected by the Legislative Assembly and one by the Legislative Council, if any; (h) three persons to be nominated by that State Government to represent agriculture, industry or trade or any other interest, which in the opinion of State Government ought to be represented, Members, ex officio; (i) The Commissioner, Member, ex officio; (j) Secretary to the State Government dealing with the welfare of the handicapped, Member-Secretary, ex officio. (3) Notwithstanding anything contained in	(vii) Rural Development; (viii) Panchayati Raj; (ix) Industrial Policy and Promotion; (x) Labour (xi) Urban Development; (xii) Housing and Urban Poverty Alleviation; (xiii) Science and Technology; (xiv) Public Enterprises (xv) Youth Affairs and Sports (xvi) Surface Transport (b) Secretary of any other Department, which the State Government considers necessary; (c) Commissioner for Persons with Disabilities. (D) Three Members of the State Legislature of whom two shall be elected by the Legislative Assembly and one by the Legislative Council, if any; (E) Members to be nominated by the State Government (a) Five persons who are either experts in the field of disability and rehabilitation represent interests, which in the opinion of the Government ought to be represented; (b) Five Members to be nominated by the State Government by rotation to represent the Districts in such manner as may be prescribed: Provided that no nomination under this sub-clause shall be made except on the recommendation of the District Administration concerned; (c) Nine persons as far as practicable, being persons with disabilities, to represent non-governmental organizations or associations which are concerned with disabilities, such that
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	this section, no State Co-ordination Committee shall be constituted for a Union territory and in relation to a Union territory, the Central Coordination Committee shall exercise the functions and perform the functions of a State Coordination Committee for the Union territory: Provided that in relation to a Union territory. The Central Coordination Committee may delegate all or any of its powers and functions under this sub-section to such person or body of persons as the Central Government may specify.	there is one person associated with each of the disabilities specified in Clause (i) of Section 2: Provided that of the nine persons nominated under this clause, at least, three shall be women and at least one person each shall be from a Scheduled Caste and a Scheduled Tribe; (F) Principal Secretary/Secretary level officer in the Department in charge of the subject matter relating to the persons with disabilities, Member-Secretary, ex officio. (3) The office of the Member of the State Advisory Board shall not disqualify its holder for being chosen as or for being a Member of the Legislature of the State. (4) Notwithstanding anything contained in this section, no State Advisory Board shall be constituted for a Union Territory and in relation to a Union territory, the Central Advisory Board shall exercise the functions and perform the functions of a State Advisory Board for the Union Territory: Provided that in relation to a Union Territory, the Central Advisory Board may delegate all or any of its powers and functions under this sub-section to such person or body of persons as the Central Government may specify.
34	14. Terms and Conditions of Service of Members – (1) Save as otherwise provided by or under this Act, a Member of a State Co-ordination Committee nominated under clause (f) or clause (h) of subsection (2) of section 13 shall hold office for a term of three years from the date of his nomination: Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.	14. Terms and Conditions of Service of Members – (1) Save as otherwise provided by or under this Act, a Member of a State Board nominated under clause (a) or clause (c) of subsection (2)(E) of section 13 shall hold office for a term of three years from the date of his nomination: Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

(2) The term of office of an ex officio Member shall come to an end as soon as he ceases to hold the office by virtue of which he was so nominated. (3) The State Government may, if it thinks fit, remove any Member nominated under clause (f) or clause (h) of sub-section (2) of section 13, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same. (4) A Member nominated under clause (f) or clause (h) of sub-section (2) of section 13 may, at any time, resign his office by writing under his hand addressed to the State Government and the seat of the said Member shall thereupon become vacant. (5) A casual vacancy in the State Co-ordination Committee shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated. (6) A Member nominated under clause (f) and clause (h) of sub-section (2) of section 13 shall be eligible for renomination. (7) Members nominated under clause (f) and clause (h) of sub-section (2) of section 13 shall receive such allowances as may be prescribed by the State Government.	(2) The term of office of an ex officio Member shall come to an end as soon as he ceases to hold the office by virtue of which he was so nominated. (3) The State Government may, if it thinks fit, remove any Member nominated under clause (a) or clause (c) of subsection (2)(E) of section 13, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same. (4) A Member nominated under clause (a) or clause (c) of subsection (2)(E) of section 13 may, at any time, resign his office by writing under his hand addressed to the State Government and the seat of the said Member shall thereupon become vacant. (5) A casual vacancy in the State Board shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated. (6) A Member nominated under clause (a) or clause (c) of subsection (2)(E) of section 13 shall be eligible for renomination. (7) Members nominated under clause (a) or clause (c) of subsection (2)(E) of section 13 shall receive such allowances as may be prescribed by the State Government.
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35	18. Functions of the State Co-ordination Committee – (1) Subject to the provisions of this Act, the function of the State Co-ordination Committee shall be to serve as the state focal point on disability matters and facilitate the continuous evolution of a comprehensive policy towards solving the problems faced by persons with disabilities. (2) In particular and without prejudice to the generality of the foregoing function the State Co-ordination Committee may, within the State perform all or any of the following functions, namely:- (a) review and coordinate the activities of all the Departments of Government and other Governmental and Non-Governmental Organizations which are dealing with matters relating to persons with disabilities., (b) develop a State policy to address issues faced by persons with disabilities; (c) advise the State Government on the formulation of policies, Programmes, legislation and projects with respect to disability; (d) review, in consultation with the donor agencies, their funding from the perspective of their impact on persons with disabilities;	18. Functions of the State Board – (1) Subject to the provision of this Act, the State Board shall be the State-level consultative and advisory body on disability matters, and shall facilitate the continuous evolution of a comprehensive policy towards solving the problems faced by persons with disabilities (2) In particular and without prejudice to the generality of the foregoing, the State Board shall perform the following functions, namely: (a) advise State Government on policies, programmes, legislation and projects with respect to disability; (b) evolve a State policy to address issues faced by persons with disabilities; (c) review and coordinate the activities of all Departments of the State Government and other Governmental and non-Governmental Organizations in the State which are dealing with matters relating to persons with disabilities. (d) take up the cause of persons with disabilities with concerned authorities and international organizations with a view to provide for schemes and projects for the disabled in the State plans;
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	(e) take such other steps to ensure barrier-free environment in public places, work places, public utilities, schools and other institutions; Provided that while nominating persons under this clause, the State Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes; (f) monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of persons with disabilities; (g) to perform such other functions as may be prescribed by the State Government.	(e) review in consultation with the donor agencies, their funding policies from the perspective of their impact on persons with disabilities. (f) recommend steps to ensure barrier-free environment in public places, work-places, public utilities, schools and other institutions; (g) monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of persons with disabilities; and (h) to perform such other functions as may be prescribed.
36	19. State Executive Committee. – (1) The State Government shall constitute a committee to be known as the State Executive Committee to perform the functions assigned to it under this Act. (2) The State Executive Committee shall consist of- (a) the Secretary, Department of Social Welfare, Chairperson, ex officio; (b) the Commissioner, Member, ex officio; (c) nine persons not below the rank of a Joint Secretary to the State Government, to	19. State Coordination and Monitoring Committee. – (1) The State Government shall constitute a committee to be known as the State Coordination and Monitoring Committee to perform the functions assigned to it under this Act. (2) The State Committee shall consist of- (A) The Chief Secretary or an officer not below the rank of Chief Secretary to be nominated by the State Government, Chairperson, ex-officio; (B) Members, ex officio; (a) the Commissioner for Persons with Disabilities;

represent the Departments of Health, Finance, Rural Development, Education, Welfare, Personnel Public Grievances, Urban Affairs Labor and Employment, Science and Technology, Members, ex officio; (d) one person to be nominated by the State Government to represent the interest, which in the opinion of the State Government ought to be represented. Member; (e) five persons, as far as practicable being persons with disabilities to represent non-governmental organizations or associations which are concerned with disabilities, to be nominated by the State Government, one from each area of disability, Members: Provided that while nominating persons under this clause, the State Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes; (f) Joint Secretary dealing with the disability division in the Department of Welfare, Member-Secretary, ex officio. (3) Members nominated under clause (d) and clause (e) of sub-section (2) shall receive such allowances as may be prescribed by the State Government. (4) A Member nominated under clause (d) or clause (e) may at any time resign his office by writing under his hand addressed to the State Government and the seat of the said Member shall thereupon become vacant.	(b) six persons not below the rank of a Secretary to the State Government, to represent the Departments of Health, Finance, Education, Welfare, Personnel, Labour and Employment; (c) Members to be nominated by the State Government: (a) Five members, by rotation, to represent the District Committees in such manner as may be prescribed by the State Government. (b) One person to represent interests, which in the opinion of the State Government ought to be represented; (c) Five persons, as far as practicable, being persons with disabilities, to represent non-governmental organizations or associations which are concerned with disabilities, one from each area of disability by rotation: Provided that the State Government shall ensure that all types of disabilities are represented over the two tenures of the Committee; Provided further that while nominating persons under this clause, the State Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes; (d) Secretary in charge of matters concerning disabilities of the State Government, Member-Secretary, ex officio. (3) Members nominated under clauses (a), (b) and (c) of sub-section (2) (C) shall receive such allowances as may be prescribed by the State Government.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
37	New Provision.	19 A. Term of office of Members.- (1) Save as otherwise provided by or under this Act, a Member of the State Committee nominated under clause (b) and (c) of sub-section (2) (C) of section 19 shall hold office for a term of three years from the date of nomination. Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office. (2) The State Government may if it thinks fit remove any Member nominated under under clause (b) and (c) of sub-section (2) (C) of the section 19, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same. (3) A Member nominated under clause (b) and (c) of sub-section (2) (C) of section 19 may at any time resign his office by writing under his hand addressed to the Central Government and the seat of the said Member shall thereupon become vacant. (4) A casual vacancy in the State Committee shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated. (5) A Member nominated under clause (b) and (c) of sub-section (2) (C) of section 19 shall be eligible for renomination. (6) Members nominated under clause (b) and (c) of sub-section (2) (C) of section 19 shall receive such allowances as may be prescribed by the Central Government.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
38	20. Functions of the State Executive Committee – (1) The State Executive Committee shall be the executive body of the State Co-ordination Committee and shall be responsible for carrying out the decisions of the State Co-ordination Committee. (2) Without prejudice to the provisions of sub-section (1), the State Executive Committee shall also perform such other functions as may be delegated to it by the State Co-ordination Committee.	20. Functions of the State Coordination and Monitoring Committee.- The State Committee shall perform the following functions, namely:- i) monitor action taken on the advice and recommendations of the State Board; ii) coordinate between various Departments and other concerned agencies in matters relating to disability; and iii) perform such other functions as may be prescribed or as may be delegated to it by the State Board.
39	New Provision	22A. District-level Committee on Disability (1) The State Government shall constitute a committee in each district to be known as the District-level Committee to perform the functions spelt out in sub-section (6) below. (2) The composition of the District-level Committee on Disability shall be such as may be prescribed, subject to the condition that it shall necessarily have the following as its members: a) Chairperson of the District Panchayat or a member nominated by the Chairperson b) the Deputy Commissioner/ Collector / District Magistrate, c) the Chief Executive Officer of the District Panchayat d) the Chief Executive Officer of the Municipality of the district headquarters,

		e) District level officers of Departments of the State Government concerned with disability, f) Up to nine persons, as far as practicable being persons with disabilities, or representatives of Non-Government Organizations, or Associations concerned with disabilities to be nominated by the Chairperson of the District Committee, such that there is one member associated with each of the disabilities specified in Clause (i) of Section 2, and there are at least three women and one person each belonging to SC and ST. g) District Welfare Officer, (3) Nominated Members of the District-level Committee may receive such honorarium as may be prescribed by the State Government. (4) A member nominated may resign at any time from his office by writing under his hand addressed to the Chairperson and the seat of the said member thereafter will become vacant. (5) The District-level Committee on Disability will meet at least once in three months and shall transact its business in accordance with such procedure as may be prescribed. (6) The District-level Committee on Disability shall perform the following function, namely: (i) Monitor and ensure effective implementation of the provisions of the Act and policies and programmes for persons with disabilities; (ii) review and coordinate the activities of all Governmental and non-Governmental Organizations at the District-level which are dealing with matters relating to persons with disabilities; (iii) Perform such other functions as may be prescribed, or as the State Government may, from time to time, direct.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
40	23. Power to give directions In the performance of its functions under this Act - (a) the Central Coordination Committee shall be bound by such directions in writing, as the Central Government may give to it; and (b) the State Coordination Committee shall be bound by such directions in writing as the Central Coordination Committee or the State Government may give to it: Provided that where a direction given by the State Government is inconsistent with any direction given by the Central Coordination Committee, the matter shall be referred to the Central Government for its decision.	23. Power to give directions.- In the performance of its functions under this Act, - (a) the Central Board shall be bound by such directions, in writing, as the Central Government may give to it; (b) the State Board shall be bound by such directions, in writing, as the State Government may give to it; and (c) the District Committee shall be bound by such directions, in writing, as the State Board or the State Government may give to it: Provided that where a direction given by the State Government or a State Board is inconsistent with any direction given by the Central Board, the matter shall be referred to the Central Government for decision.
41	24. Vacancies not to invalidate proceedings No act or proceeding of the Central Coordination Committee, the Central Executive Committee, a State Coordination Committee or a State Executive Committee shall be called in question on the ground merely on the existence of any vacancy in or any defect in the constitution of such Committees.	24. Vacancies not to invalidate proceedings.- No act or proceeding of the Central Board, the Central Committee, a State Board, a State Committee or a District Committee shall be called in question on the ground merely of the existence of any vacancy in or any defect in the constitution of such Committees.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
42	New Provision	Chapter III-A - Guiding Principles for Appropriate Governments and Local Authorities
43	New Provision	24-A. Guiding Principles for Appropriate Governments and Local Authorities in Empowerment of Persons with Disabilities.- Appropriate governments and local authorities shall, subject to the provisions of this Act and any other laws for the time being in force, take all necessary steps within their economic capacity and development, to secure for persons with disabilities the following – (a) Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons; (b) Non-discrimination; (c) Full and effective participation and inclusion in society; (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; (e) Equality of opportunity; (f) Accessibility; (g) Equality between men and women; (h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
44	Chapter-IV - Prevention and early detection of disabilities	Chapter-IV - Prevention of Disabilities
45	25. Appropriate Governments and local authorities to take certain steps for the prevention of occurrence of disabilities - Within the limits of their economic capacity and development, the appropriate Governments and the local authorities, with a view to preventing the occurrence of disabilities, shall- (a) Undertake or cause to be undertaken surveys, investigations and research concerning the cause of occurrence of disabilities; (b) Promote various methods of preventing disabilities; (c) Screen all the children at least once in a year for the purpose of identifying "at-risk" cases; (d) Provide facilities for training to the staff at the primary health centers; (e) Sponsor or cause to be sponsored awareness campaigns and is disseminated or cause to be disseminated information for general hygiene, health and sanitation; (f) Take measures for pre-natal, parental and post-natal care of mother and child; (g) Educate the public through the pre-schools, schools, primary health Centers, village level workers and anganwadi workers;	25. Prevention of disabilities - The appropriate Governments and the local authorities, with a view to preventing the occurrence of disabilities, shall - (a) Undertake or cause to be undertaken surveys, investigations and research concerning the cause of occurrence of disabilities; (b) Promote various methods of preventing disabilities; (c) Screen all the children at least once in a year for the purpose of identifying "at-risk" cases; (d) Provide facilities for training to the staff at the primary health centers; (e) Sponsor or cause to be sponsored awareness campaigns and is disseminated or cause to be disseminated information for general hygiene, health and sanitation; (f) Take measures for pre-natal, parental and post-natal care of mother and child; (g) Educate the public through the pre-schools, schools, Primary Health Centers, village level workers and anganwadi workers;

	(h) Create awareness amongst the masses through television, radio and other mass media on the causes of disabilities and the preventive measures to be adopted;	(h) Create awareness amongst the masses through television, radio and other mass media on the causes of disabilities and the preventive measures to be adopted.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
46	New Chapter	Chapter-IVA : Rehabilitation
47	66. Appropriate Governments and local authorities to undertake rehabilitation. (1) The appropriate Governments and the local authorities shall within the limits of their economic capacity and development undertake or cause to be undertaken rehabilitation of all persons with disabilities. (2) For purposes of sub-section (1), the appropriate Governments and local authorities shall grant financial assistance to non-governmental organizations. (3) The appropriate Governments and local authorities while formulating rehabilitation policies shall consult the non-governmental organizations working for the cause of persons with disabilities.	25-A : Rehabilitation.- (1) The appropriate Governments and local authorities shall undertake or cause to be undertaken services and programmes of rehabilitation, particularly in the areas of health, education and employment for all persons with disabilities. (2) The above services and programmes shall be:- (i) so designed as to begin at the earliest possible stage; (ii) based on a comprehensive assessment of individual needs and strengths; (iii) delivered as close to the residence of persons with disabilities as possible including in rural areas; and (iv) involve family care givers and guardians of persons with disabilities, for which adequate training shall be provided. (3) For purposes of sub-section (1), read with sub-section (2), the appropriate Governments and local authorities shall, subject to fulfillment of financial and other norms, and availability of budgetary allocation, grant financial assistance to non-governmental organizations.

	<u>Aids & Appliances to Persons with Disabilities</u> 42. The appropriate Governments shall by notification make schemes to provide aids and appliances to persons with disabilities.	(4) The appropriate Governments and local authorities, while formulating rehabilitation policies, shall consult the non-governmental organizations working for the cause of persons with disabilities. (5) Without prejudice to the generality of sub-section (1), the appropriate Governments shall by notification make schemes to provide aids and appliances to persons with disabilities, specially those belonging to economically weaker sections.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
	Chapter V: Education	Chapter V: Education
48	26. Appropriate Governments and local authorities to provide children with disabilities free education etc. The appropriate Governments and the local authorities shall- (a) Ensure that every child with a disability has access to free education in an appropriate environment till he attains the age of eighteen years; (b) Endeavor to promote the integration of students with disabilities in the normal schools; (c) Promote setting up of special schools in Government and private sector for those in need of special education, in such a manner that children with disabilities living in any part of the country have access to such schools; (d) Endeavor to equip the special schools for children with disabilities with vocational training facilities.	26 : Education of Children with Disabilities at the School level - (1) The appropriate Government and local authorities shall ensure that every child with disabilities has access to free education till he attains the age of eighteen years in an inclusive environment, unless there are compelling reasons for doing otherwise, and provide reasonable accommodation of the individual student's requirements. (2) With a view to giving effect to the provisions of sub-section (1), appropriate Governments and local authorities shall ensure that: (a) educational institutions run or aided by them have necessary physical facilities and teaching staff to cater to the needs of students with disabilities, and (b) institutions provide for individual and appropriate communication and mobility needs for children with disabilities to facilitate learning. (3) In case of children with severe disability who cannot be educated in an inclusive environment, appropriate Governments and local authorities shall ensure alternative arrangements, such as special schools, home-based education, distance education etc. so that they receive free education upto the age of eighteen years, and complete the equivalent of at least eight years of school education.

		Explanation: ‘Free education’ for the purposes of this section shall, in the case of children with disabilities from economically weaker sections, include cost of corrective surgeries, assistive devices, special books and equipments as appropriate.
49	New Provision	Section 26A. Distance Education of Persons with Disabilities above 18 years of age to be free upto the senior secondary stage. Whenever a person with disability who is above the age of 18 years, but has not completed education upto the senior secondary stage, enrolls himself for distance education in an institution imparting such education, no fee of any kind shall be charged from such person, till he completes the senior secondary stage of education. <u>Explanation:-</u> "Distance Education" for the purposes of this Section means a system of imparting education other than through the conventional mode and includes open and non-formal system of education and training wherein teachers and learners need not be present at the same time or place and where the method of imparting education is through any means of communication, such as broadcast, telecast, electronic transmission of text and audio-visual material, internet / intranet, contact programmes, etc. or the combination of any two or more such means.

50	New Provision	Section 26B. Higher and Professional education To enable students with disabilities to pursue higher and professional education, the appropriate Governments shall- (i) take necessary steps to ensure appropriate environment and facilities, including resource rooms in the campus of colleges and universities; (ii) develop separate guidance, counseling and placement services in each district suitable to the needs of persons with disabilities.
51	27. Appropriate governments and local authorities to make schemes and programmes for non-formal education, etc. The appropriate Governments and the local authorities shall by notification make schemes for- (a) Conducting part-time classes in respect of children with disabilities who having completed education up to class fifth and could not continue their studies on a whole-time basis; (b) Conducting special part-time classes for providing functional literacy for children in the age group of sixteen and above; (c) Imparting non-formal education by utilizing the available manpower in rural areas after giving them appropriate orientation;	27. Education of children with learning disabilities Appropriate Government shall take necessary steps to ensure that : (i) Learning disabilities in children are detected at the earliest; (ii) Suitable pedagogical and other measures are taken so that the child is enabled to overcome such disabilities at the earliest, and is able to fully develop its potential. Explanation: For the purpose of this section, “learning disability” means a disorder which affects the child’s ability to either interpret what he sees and hears, or to link information from different parts of the brain. Learning disability includes children with conditions known as attention deficit disorder, dyslexia, dysgraphia, dyscalculia and dyspraxia.

	(d) Imparting education through open schools or open universities; (e) Conducting class and discussions through interactive electronic or other media; (f) Providing every child with disability free of cost special books and equipments needed for his education.	
52	New Provision	27A. Education of children with cerebral palsy and children with multiple disabilities, especially deaf-blind children Appropriate Government shall take necessary steps to ensure that : (i) Suitable pedagogical and other measures are taken so that the child is enabled to overcome such disabilities at the earliest, and is able to fully develop its potential. (ii) Children with severe disabilities and children with multiple disabilities, in particular deaf-blind children, are educated through the most appropriate language, modes and means of communication. Explanation: For the purpose of this section, “deaf-blindness” is combination of hearing and visual impairments, that creates such severe communication, and other developmental and educational needs that can not be accommodated in special education programmes meant solely for children with deafness or children with blindness.

53	29. Appropriate Governments to set up teacher's training institutions to develop trained manpower for schools for children with disabilities The appropriate Governments shall set up adequate number of teachers' training institutions and assist the national institutes and other voluntary organizations to develop teachers' training programmes specializing in disabilities so that requisite trained human resource is available for special schools and integrated schools for children with disabilities.	29. Appropriate Governments to set up teacher's training institutions to develop trained manpower for students with disabilities The appropriate Governments shall set up adequate number of teachers' training institutions and assist the national institutes, universities and other voluntary organizations to develop teachers' training programmes so that requisite trained manpower is available for teaching students with disabilities.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
54	30. Appropriate Governments to prepare a comprehensive education scheme providing for transport facilities, supply of books etc. Without prejudice to the foregoing provisions, the appropriate Governments shall by notification prepare a comprehensive education scheme which shall make Provision for- (a) Transport facilities to the children with disabilities or in the alternative financial incentives to parents or guardians to enable their children with disabilities to attend schools. (b) The removal of architectural barriers from schools, colleges or other institution, imparting vocational and professional training; (c) The supply of books, uniforms and other materials to children with disabilities attending school. (d) The grant of scholarship to students with disabilities. (e) Setting up of appropriate fora for the redressal of grievances of parent, regarding the placement of their children with disabilities;	30. Appropriate Governments to prepare a comprehensive education scheme providing for transport facilities, supply of books etc. Without prejudice to the foregoing provisions, the appropriate Governments shall by notification prepare a comprehensive education scheme which shall make provision for- (a) Transport facilities to the children with disabilities or in the alternative financial incentives to parents or guardians to enable their children with disabilities to attend schools. (b) The removal of architectural barriers from schools, colleges or other institutions, imparting vocational and professional training; (c) The supply of books, uniforms and other materials to children with disabilities attending school. (d) The grant of scholarship to students with disabilities. (e) Setting up of appropriate fora for the redressal of grievances of parents, regarding the placement of their children with disabilities;

	(f) Suitable modification in the examination system to eliminate purely mathematical questions for the benefit of blind students and students with low vision; (g) Restructuring of curriculum for the benefit of children with disabilities; (h) Restructuring the curriculum for benefit of students with hearing impairment to facilitate them to take only one language as part of their curriculum.	(f) Suitable modification in the evaluation system for the benefit of blind students and students with low vision and such other disabilities as the appropriate governments may notify in this behalf so that students are enabled to attempt questions of mathematical nature; (g) Restructuring of curriculum for the benefit of children with disabilities; (h) Restructuring the curriculum and scheme of evaluation for the benefit of students with hearing impairment and such other disabilities as the appropriate government may notify in this behalf so that such students have an option to study only one language.
55	Section 31. Educational institutions to provide amanuensis to students with visual handicap All educational institutions shall provide or cause to be provided amanuensis to blind students and students with or low vision.	31. Educational institutions to provide amanuensis to students with disabilities- All educational institutions shall provide or cause to be provided amanuensis to blind students, students with low vision and to students suffering from such other disabilities as the appropriate Government may notify in this behalf.
56	39. All educational institutions to reserve seats for persons with disabilities All Government educational institutions and other educational institutions receiving aid from the Government shall reserve not less than three per cent seat for persons with disabilities.	31 A: All educational institutions to reserve seats for persons with disabilities – a) All Government educational institutions and educational institutions receiving aid from the Government shall reserve not less than three percent seats for persons with disabilities. (1) Notwithstanding anything contained in any other law for the time being in force, every educational institutions

		recognized by a government, a statutory institution, or any other authority duly empowered in this behalf, shall reserve not less than 3% seats for persons with disabilities.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
57	New Chapter	Chapter-VA : Healthcare
58	New Provision	Section 31 B : Healthcare Appropriate Governments and local authorities shall take necessary measures to provide to persons with disabilities: (i) health care within a reasonable distance from their location, specially in rural areas; which shall be free in case of persons with disability, whose family income is below such limit as the appropriate government may notify; (ii) barrier-free access in all parts of the hospitals and other healthcare institutions and centres run or aided by them; and (iii) priority in attendance and treatment.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)												
	Chapter VI: Employment	Chapter VI: Employment												
59	Section 32. Identification of posts which can be reserved for persons with disabilities- Appropriate Governments shall- (a) identify posts, in the establishments, which can be reserved for persons with disability;	Section 32. Identification of posts which can be reserved for persons with disabilities- (1) Appropriate Governments shall- (a) identify posts in the establishments, which can be reserved for persons with different types of disability;												
60	Section 33. Reservation of posts Every appropriate Government shall appoint in every establishment such percentage of vacancies not less than three per cent for persons or class of persons with disability of which one percent each shall be reserved for persons suffering from- (i) Blindness or low vision; (ii) Hearing impairment; (iii) Loco motor disability or cerebral palsy, in the posts identified for each disability;	Section 33. Reservation of posts Every appropriate Government shall fill in every establishment, including in organized services, such percentage of vacancies in identified posts meant to be filled by direct recruitment, with persons or class of persons with disability, so that not less than 3% of all posts to be filled by direct recruitment are filled through such persons, and representation of persons with various types of disabilities is as follows: <table border="1"> <tr> <td>(i)</td><td>Low vision:</td><td>0.5%</td></tr> <tr> <td>(ii)</td><td>Blind</td><td>0.5%</td></tr> <tr> <td>(iii)</td><td>Hearing impairment:</td><td>1%</td></tr> <tr> <td>(iv)</td><td>Loco motor disability including Cerebral Palsy:</td><td>1%</td></tr> </table> Provided that the appropriate Government may, having regard to the type of work carried on in any department or establishment, by notification subject to such conditions, if any, as may be specified in such notification, exempt any establishment from the provisions of this section.	(i)	Low vision:	0.5%	(ii)	Blind	0.5%	(iii)	Hearing impairment:	1%	(iv)	Loco motor disability including Cerebral Palsy:	1%
(i)	Low vision:	0.5%												
(ii)	Blind	0.5%												
(iii)	Hearing impairment:	1%												
(iv)	Loco motor disability including Cerebral Palsy:	1%												

	Provided that the appropriate Government may, having regard to the type of work carried on in any department or establishment, by notification subject to such conditions, if any, as may be specified in such notification, exempt any establishment from the provisions of this section.	(2) For the purposes of sub-section (1) the calculation of vacancies will be based on all the entry level posts in various categories including in organized services, but the appointment of persons with disabilities will be in posts or services identified as suitable for each type of disability in such manner as may be prescribed. (3) Notwithstanding anything contained in sub-sections (1) and (2), appropriate government may also notify percentage of reservation for each type of disability not mentioned in sub-section (1), and shall fill by appointment posts identified for those disabilities under Section 32, to the extent of such reservation.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
61	36. Vacancies not filled up to be carried forward- Where in any recruitment year any vacancy under section 33, cannot be filled up due to non-availability of a suitable person with disability or, for any other sufficient reason, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with disability is not available, it may first be filled by interchange among the three categories and only when there is no person with disability available for the post in that Year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability: Provided that if the nature of vacancies in an establishment is such that a given category of person can not be employed, the vacancies may be interchanged among the three categories with the prior approval of the appropriate Government.	36. Vacancies not filled to be carried forward- Where in any recruitment year any vacancy under section 33, cannot be filled up due to non-availability of a suitable person with disability or, for any other sufficient reason, such vacancy shall be carried forward in three succeeding recruitment years and if in the succeeding recruitment years also suitable person with disability is not available, in the fourth year, it may first be filled by interchange among the three categories and only when there is no person with disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability: Provided that if the nature of vacancies in an establishment is such that a given category of person can not be employed, the vacancies may be interchanged among the four categories with the prior approval of the appropriate Government.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
	Chapter VII: Affirmative Action	Chapter VII: Affirmative Action
62	40. Vacancies to be reserved in poverty alleviation schemes The appropriate Governments and local authorities shall reserve not less than three per cent in all poverty alleviation schemes for the benefit of persons with disabilities.	40. At least three percent of beneficiaries under Poverty Alleviation Schemes to be persons with disabilities- Appropriate Governments and local authorities shall ensure that at least three percent of the beneficiaries of poverty alleviation schemes in each district are persons with disabilities.
63	41. Incentives to employers to ensure five percent of the work force is composed of persons with disabilities - The appropriate Governments and the local authorities shall, within the limits of their economic capacity and development, provide incentives to employers both in public and private sectors to ensure that at least five per cent of their work force is composed of persons with disabilities.	41. Incentives for employing persons with disabilities in the private sector- The Central Government or appropriate Government may provide incentives to employers in the private sector so that at least five per cent of their work force is composed of persons with disabilities.
64	42. Aids and Appliances for persons with disabilities – The appropriate Governments shall by notification make schemes to provide aids and appliances to persons with disabilities.	42. Reservation in allotment of dwelling units and shops Whenever an appropriate Government or local authority builds dwelling units or shops for allotment by lots, it shall reserve not less than three percent of such dwelling units and shops for persons with disabilities in each round of allotment, in such manner as may be prescribed.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
	Chapter VIII-Non-Discrimination	Chapter VIII-Non-Discrimination
65	44. Non-discrimination in transport Establishments in the transport sector shall, within the limits of their economic capacity and development for the benefit of persons with disabilities, take special measures to- (a) Adapt rail compartments, buses. Vessels and aircrafts in such a way as to permit easy access to such persons; (b) Adapt toilets in rail compartments, vessels, aircrafts and waiting rooms in such a way as to permit the wheel chair users to use them conveniently.	44. Non-discrimination in transport (1) Every appropriate government shall, by notification to be issued within one year of enactment of this law, specify a time-limit in respect of transport services coming within its purview, within which all establishments providing such transport services, shall – (a) adapt rail compartments, buses, vessels and aircraft in such a way as to permit easy access to such persons; and (b) adapt toilets in rail compartments, vessels, aircraft and waiting rooms in such a way as to permit wheel chair users to use them conveniently; Provided that the appropriate Government may specify different time limits for different categories of transport. Provided further that the time limit specified in the notification shall not be later than 31.12.2017. (2) Upon issue of a notification in pursuance of sub-section (1), it shall be the duty of every establishment to which it applies, to comply with the requirements of such notification.
66	45. Non-discrimination on the road The appropriate Governments and the local authorities shall, within the limits of their economic capacity and development. Provide for- (a) Installation of auditory signals at red lights in the public roads for the benefit of persons with visually handicap;	45. Non-discrimination on the road Every appropriate Government shall, by notification to be issued within one year of the enactment of this law, specify a time limit within which the appropriate Government itself and all local authorities under its control, shall provide for– (a) Installation of auditory signals at red lights in the public roads for the benefit of persons with visual handicap;

	(b) Causing curb cuts and slopes to be made in pavements for the easy access of wheel chair users; (c) Engraving on the surface of the zebra crossing for the blind or for persons with low vision; (d) Engraving on the edges of railway platforms for the blind or for persons with low vision; (e) Devising appropriate symbols of disability; (f) Warning signals at appropriate places.	(b) Causing curb cuts and slopes to be made in pavements for easy access of wheel chair users; (c) Engraving on the surface of the zebra crossing for the blind or for persons with low vision; (d) Devising appropriate symbols of disability; (e) Warning signals at appropriate places; Provided that the appropriate Government may specify different time limit for different States and for different categories of roads, cities, towns etc. Provided further that the time limit specified in the notification shall not be later than 31.12.2017.
67	46. Non-discrimination in built environment. The appropriate Governments and the local authorities shall, within the limits of their economic capacity and development, provide for- (a) ramps in public buildings; (b) adaptation of toilets for wheel chair users; (c) braille symbols and auditory signals in elevators or lifts; (d) ramps in hospitals, primary health centers and other medical care and rehabilitation institutions.	46. Non-discrimination in built environment: (1) Every appropriate Government shall, by notification to be issued within one year of the enactment of this law, specify a time limit within which the appropriate Government itself and all local authorities under its control shall provide barrier-free access to persons with disabilities in all public buildings under their ownership or possession; Provided that the appropriate Government may specify different time limits for different kinds of public buildings and for different locations within its jurisdiction; Provided further that the time limit specified in the notification shall not be later than 31.12.2017;

		Provided also that the highest priority shall be accorded to creating barrier-free access in public buildings of the following kinds, namely:- (a) educational institutions (b) hospitals, primary health centres and other medical care and rehabilitation institutions (c) railway stations, bus stands, ports and airports, and (d) offices of Governments, local bodies and public utilities receiving large number of public visitors e.g. Police Station, Panchayats, Municipalities, Blocks, Tehsil, Districts offices, Courts etc. (e) Places offering sports and recreational facilities like stadia, swimming pools, auditoria, cultural complexes, museum, libraries, etc. (2) Appropriate Government and local bodies shall also frame rules and regulations under relevant laws to ensure that public buildings other than those under their ownership or possession also provide barrier free access to persons with disabilities within a reasonable time. (3) Barrier-free access referred to in sub-sections (1) and (2) shall include:- (a) ramps with railings, (b) signage including those in Braille, (c) Braille symbols and auditory signals in elevators and lifts, (d) Toilets suitable for wheel-chair users, and (e) Tactile flooring for the benefit of the visually impaired.
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68	New Provision	46A. Delivery of Public Services- (1) Appropriate Governments and local authorities shall take necessary measures to ensure that there is no discrimination against persons with disabilities in delivery of public services; and that such persons get priority in being attended to. (2) Notwithstanding anything contained in sub-section(1) above, appropriate Governments shall take steps to frame policies and take up programmes pertaining to the following services to provide equal access to persons with disabilities: (i) Education (ii) Health (iii) Electricity (iv) Drinking water (v) Pension scheme (vi) Public housing (vii) Insurance (viii) Banking services (ix) Employment including recruitment, hiring, continuance in jobs, career advancement etc.
69	New Provision	46B. Accessibility of Information in public domain to persons with disabilities - (1) Appropriate Governments and local bodies shall ensure availability of all information in public domain in accessible format suitable to the needs of persons with different types of disabilities. (2) In regard to sub clause (1) above, the Central Government through notification lay down standards for making such information available to persons with disabilities.

		(3) Central Government will prescribe, through notification, standards for the accessibility of websites developed and maintained in the country and also ensure the enforcement of these standards so that these remain accessible to the persons with all types of disabilities
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
	Chapter IX- Research and Manpower Development	Chapter IX- Research and Manpower Development
70	48. Research and Development - The appropriate Governments and local authorities shall promote and sponsor research, inter alia,, in the following areas- (a) Prevention of disability; (b) Rehabilitation including community based rehabilitation; (c) Development of assistive devices including their psychosocial aspects; (d) Job identification; (e) On site modifications in offices and factories.	48. Research and Development - (1) The appropriate Governments and local authorities shall promote and sponsor research, inter-alia in the following areas: (a) prevention of disability; (b) rehabilitation including community based rehabilitation; (c) development of more user-friendly, effective and economical assistive devices using new technologies including information communication technologies; (d) identification of employment opportunities and jobs for persons with disabilities; (e) onsite modification in offices and factories. (2) Appropriate Governments shall promote development of universally designed goods, services and facilities which require the minimum possible adaptation and the least cost to meet the needs of persons with disabilities.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
	Chapter X- Recognition of Institutions for Persons with Disabilities	Chapter X- Recognition of Institutions for Persons with Disabilities
71	51. Registration of Institutions Save as otherwise provided under this Act, no person shall establish or maintain any institution for persons with disabilities except under in accordance with a certificate of registration issued in this behalf by the competent authority; Provided that a person maintaining an institution for persons with disabilities immediately before the commencement of this Act may continue to maintain such institution for a period of six months from such commencement and if he has made an application for such certificate under this section within the said period of six months, till the disposal of such application.	51. Registration of Institutions for Persons with Disabilities Save as otherwise provided under this Act, no person shall establish or maintain any institution for persons with disabilities except in accordance with a certificate of registration issued in this behalf by the competent authority ; Provided that a person maintaining an institution for persons with disabilities immediately before the commencement of this Act may continue to maintain such institution for a period of six months from such commencement and if he has made an application for such certificate under this section within the said period of six months, till the disposal of such application; Provided further that an institution for care of mentally ill persons, which holds a valid licence under Section 8 of the Mental Health Act, 1987, shall not be required to be registered under this Act.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
72	52. Certificate of Registration (1) Every application for a certificate of registration shall be made to the competent authority in such form and in such manner as may be prescribed by the State Government. (2) On receipt of an application under sub-section (1), the competent authority shall make such enquiries as it may deem fit and where it is satisfied that the applicant has complied with the requirements of this Act and the rules made thereunder it shall grant a certificate of registration to the applicant and where it is not so satisfied the competent authority shall, by order, refuse to grant the certificate applied for: Provided that before making any order refusing to grant a certificate the competent authority shall give to the applicant a reasonable opportunity of being heard and every order of refusal to grant a certificate shall be communicated to the applicant in such manner as may be prescribed by the State Government.	52. Certificate of Registration (1) Every application for a certificate of registration shall be made to the competent authority in such form and in such manner as may be prescribed by the State Government. (2) On receipt of an application under sub-section (1), the competent authority shall make such enquiries as it may deem fit and where it is satisfied that the applicant has complied with the requirements of this Act and the rules made thereunder it shall grant a certificate of registration to the applicant and where it is not so satisfied the competent authority shall, by order, refuse to grant the certificate applied for: Provided that before making any order refusing to grant a certificate the competent authority shall give to the applicant a reasonable opportunity of being heard and every order of refusal to grant a certificate shall be communicated to the applicant in such manner as may be prescribed by the State Government.

	(3) No certificate of registration shall be granted under sub-section (2) unless the institution with respect to which an application has been made is in a position to provide such facilities and maintain such standards as may be prescribed by the State Government. (4) A certificate of registration granted under this section,- (a) Shall, unless revoked under section 53, remain in force for such period as may, be prescribed by, the State Government. (b) May be renewed from time to time for a like period; and (c) Shall be in such form and shall be subject to such conditions as may be Prescribed by the State Government (5) An application for renewal of a certificate of registration shall be made not less than sixty days before the period of validity. (6) The certificate of registration shall be displayed by the institution in a conspicuous place.	(3) No certificate of registration shall be granted under sub-section (2) unless the institution with respect to which an application has been made is in a position to provide such facilities and meet such minimum standards and norms for registration as may be prescribed. (4) A certificate of registration granted under this section,- (a) shall, unless revoked under section 53, remain in force for such period as may be prescribed by the State Government. (b) may be renewed from time to time for a like period; and (c) shall be in such form and shall be subject to such conditions as may be prescribed by the State Government. (5) An application for renewal of a certificate of registration shall be made not less than sixty days before the period of validity. (6) The certificate of registration shall be displayed by the institution in a conspicuous place. (7) Every application made under sub-section (1) or (5) of this Section shall be disposed of by the Competent Authority within such period, as may be prescribed.
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73	New Provision	53A. Punishment for contravention of Sections 44, 45, 46, 51 and 53 - Any establishment, which contravenes the provisions of Sections 44, 45, 46, 51 and sub-section (4) of section 53, shall be punishable with fine which may extend to Rs.20,000/- and with additional sum of upto Rs. 1,000/- per day for each day of continued contravention after the date of the original order imposing punishment of fine.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
74	Chapter XI - Institution for Persons with severe disabilities	Chapter XI - Care and Protection of Persons with Disabilities, specially severe disabilities
75	56. Institutions for persons with severe disabilities The appropriate Government may establish and maintain institutions for persons with severe disabilities at such places as it thinks fit. (2) Where, the appropriate Government is of opinion that any institution other than an institution. Established under sub-section (1), is fit for the rehabilitation of the persons with severe disabilities, the Government may recognize such institution as an institution for persons with severe disabilities for the purposes of this Act: Provided that no institution shall be recognized under this section unless such institution has complied with the requirements of this Act and the rules made there under. (3) Every institution established under sub-section (1) shall be maintained in such manner and satisfy such conditions as may be prescribed b), the appropriate Government. (4) For the purposes of this section "person with severe disability" means a person with eighty per cent or more of one or more disabilities.	56. Persons with disabilities in need of Care and Protection - (1) Appropriate Governments shall (i) promote care and protection of persons with disabilities in the family including extended family and in community environment; and (ii) establish and/or maintain at least one home in each district for persons with disabilities, who do not have family or community support, especially a person with severe disabilities and women and children with disabilities; (2) Every home established and/or maintained under sub-section (1) shall satisfy such conditions as may be prescribed by the appropriate Government.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
	Chapter XII – The Chief Commissioner for Persons with Disabilities	
76	57. Appointment of Chief Commissioner for persons with disabilities (1) The Central Government may, by notification appoint a Chief Commissioner for persons with disabilities for the purposes of this Act. (2) A person shall not be qualified for appointment as the Chief Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation. (3) The salary and allowances payable to and other terms and conditions of service (including pension, gratuity and other retirement benefits of the Chief Commissioner shall be such as may be prescribed by the Central Government. (4) The Central Government shall determine the nature and categories of officers and other employees required to assist the Chief Commissioner in the discharge of his functions and provide	57. Appointment of Chief Commissioner for persons with disabilities (1) The Central Government may, by notification appoint a Chief Commissioner for persons with disabilities, on full-time basis, for the purposes of this Act; (2) The Chief Commissioner shall be appointed for a term of three years from the date on which he assumes office or till he attains the age of sixty five years, whichever is earlier; Provided that, notwithstanding the completion of the term of three years, a Chief Commissioner shall continue till his successor enters upon his office, subject to the former not having attained the age of sixty five years. (3) A person shall not be appointed as Chief Commissioner for more than two terms; (4) Subject to the provisions of sub-section (5) below, qualification and experience for appointment as Chief Commissioner for Persons with Disabilities shall be as prescribed by the Central Government.

	the Chief Commissioner with such officers and other employees as it thinks fit. (5) The officers and employees provided to the Chief Commissioner shall discharge their functions under the general superintendence of the Chief Commissioner. (6) The salaries and allowances and other conditions of service of officers and employees provided to the Chief Commissioner shall be such as may be prescribed by the Central Government.	(5) A person shall not be appointed as Chief Commissioner unless he satisfies the following conditions: (a) He has special knowledge or practical experience in respect of matters relating to rehabilitation of persons with disabilities; and (b) On his selection for appointment as the Chief Commissioner, if he is in service under the Central Government or a State Government, he shall seek retirement from such service before his appointment to the post. (6) The salary and allowances payable to and other terms and conditions of service (including pension, gratuity and other retirement benefits of the Chief Commissioner shall be such as may be prescribed by the Central Government: (7) The Chief Commissioner may, by notice in writing under his hand, addressed to the Central Government, resign his post. (8) Central Government may remove a person from the office of the Chief Commissioner, if that person:- (a) becomes an un-discharged insolvent; (b) engages during his term of office in any paid employment or activity outside the duties of his office;
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		(c) gets convicted and sentenced to imprisonment for an offence which in the opinion of the Central Government involves moral turpitude; (d) has in the opinion of the Central Government, been rendered unfit to perform his functions as laid down in the Act, or has been guilty of serious default in the performance of such functions; (e) has in the opinion of the Central Government, so abused the position of the Chief Commissioner as to render his continuance in office detrimental to the interest of persons with disability. Provided that no person shall be removed under this sub-section except after following such procedure, as may be prescribed. (9) In the event of the post of Chief Commissioner falling vacant due to death, resignation or any other unforeseen circumstances, the Central Government may appoint an officer not below the rank of an Additional Secretary to the Government of India to perform the functions of the Chief Commissioner for a period not exceeding 6 months with effect from the date of occurrence of the vacancy, or until a regular Chief Commissioner is duly appointed, whichever is earlier. (10) The Central Government shall determine the nature and categories of officers and other employees required to assist the Chief Commissioner in the discharge of his functions and provide the Chief Commissioner with such officers and other employees as it thinks fit.
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		(11) The officers and employees provided to the Chief Commissioner shall discharge their functions under the general superintendence of the Chief Commissioner. (12) The salaries and allowances and other conditions of service of officers and employees provided to the Chief Commissioner shall be such as may be prescribed by the Central Government.
77	58. Functions of the Chief Commissioner – The Chief commissioner shall – (a) coordinate the work of the Commissioners; (b) monitor the utilization of funds disbursed by the Central Government; (c) take steps to safeguard the rights and facilities made available to persons with disabilities; (d) Submit reports to the Central Government on the implementation of the Act at such intervals as the Government may prescribe.	58. Functions of the Chief Commissioner – (1)The Chief Commissioner shall – (a) coordinate the work of the Commissioners; (b) monitor the utilization of funds disbursed by the Central Government; (c) investigate and monitor all matters relating to the safeguards provided for persons with disabilities under this Act or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards; (d) inquire into specific complaints with respect to the deprivation of rights and safeguards of persons with disabilities; (e) participate in and advise on the planning process for all-round development of persons with disabilities and to evaluate the progress of their development under the Central Government;

		(f) present to the Central Government annually and at such other times as the Chief Commissioner may deem fit, reports upon the working of those safeguards; (g) make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and all-round development of persons with disabilities; and (h) discharge such other functions in relation to the protection, welfare and development and advancement of persons with disabilities as the Central Government may, subject to the provisions of any law made by Parliament, by notification specify. (2) The Central Government shall cause all such reports to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations. (3) Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Government of the State who shall cause it to be laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.
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78	59. Chief Commissioner to look into complaints - Without prejudice to the provisions of section 58 of the Chief Commissioner may of his own motion or on the application of any aggrieved person or otherwise look into complaints with respect to matters relating to – (a) deprivation of rights of persons with disabilities; (b) non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions made or issued by the appropriate Governments and the local authorities for the welfare and protection of rights of persons with disabilities, and take up the matter with the appropriate authorities.	59. Chief Commissioner to look into complaints - (1) Without prejudice to the provisions of section 58 of the Chief Commissioner may of his own motion or on the application of any aggrieved person or otherwise look into complaints with respect to matters relating to – (a) deprivation of rights of persons with disabilities; (b) non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions made or issued by the appropriate Governments and the local authorities for the welfare and protection of rights of persons with disabilities, and take up the matter with the appropriate authorities. (2) Whenever the Chief Commissioner makes a recommendation to an authority in pursuance of sub-section (1) above, that authority shall take necessary action on it, and inform the Chief Commissioner of the action taken within three months from the date of receipt of the recommendation: Provided that where an authority does not accept a recommendation, he shall convey reasons for non-acceptance to the Chief Commissioner within the above period of three months, and shall also similarly inform the aggrieved person referred to in sub-section (1).
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79	60. Appointment of Commissioners for persons with disabilities: (1) Every State Government may, by notification appoint a Commissioner for persons with disabilities for the purpose of this Act. (2) A person shall not be qualified for appointment as a Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation. (3) The salary and allowances payable to and other terms and conditions of service (including pension gratuity and other retirement benefits) of the Commissioner shall be such as may be prescribed by the State Government. (4) The State Government shall determine the nature and categories of officers and other employees required to assist the Commissioner in the discharge of his functions and provide the Commissioner with such officers and other employees as it thinks fit.	60. Appointment of Commissioners for Persons with Disabilities: (1) Every State Government may, by notification appoint a Commissioner for persons with disabilities, on full-time basis, for the purposes of this Act; (2) The Commissioner shall be appointed for a term of three years from the date on which he assumes office or till he attains the age of sixty five years, whichever is earlier; Provided that, notwithstanding the completion of the term of three years, a Commissioner shall continue till his successor enters upon his office, subject to the former not having attained the age of sixty five years. (3) A person shall not be appointed as Commissioner for more than two terms; (4) Subject to the provisions of sub-section (5) below, qualification and experience for appointment as Commissioner for Persons with Disabilities shall be as prescribed by the State Government.
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	(5) The officers and employees provided to the Commissioner shall discharge their functions under the general superintendence of the Commissioner. (6) The salaries and allowances and other conditions of service of officers and employees provided to the Commissioner shall be such as may be prescribed by the State Government.	(5) A person shall not be appointed as Commissioner unless he satisfies the following conditions: (a) He has special knowledge or practical experience in respect of matters relating to rehabilitation of persons with disabilities; and (b) On his selection for appointment as the Commissioner, if he is in service under the Central Government or a State Government, he shall seek retirement from such service before his appointment to the post. (6) The salary and allowances payable to and other terms and conditions of service (including pension gratuity and other retirement benefits) of the Commissioner shall be such as may be prescribed by the State Government. (7) The Commissioner may, by notice in writing under his hand, addressed to the State Government, resign his post. (8) State Government may remove a person from the office of the Commissioner, if that person:- (a) becomes an un-discharged insolvent; (b) engages during his term of office in any paid employment or activity outside the duties of his office; (c) gets convicted and sentenced to imprisonment for an offence which in the opinion of the State Government involves moral turpitude; (d) has in the opinion of the Central Government, been rendered unfit to perform his functions as laid down in the Act, or has been guilty of serious default in the performance of such functions; (e) has in the opinion of the State Government, so abused the position of the Commissioner as to render his continuance in office detrimental to the interest of persons with disability:
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		Provided that no person shall be removed under this sub-section except after following such procedure as may be prescribed. (9) In the event of the post of Commissioner falling vacant due to death, resignation or any other unforeseen circumstances, the State Government may appoint an officer not below the rank of a Secretary to the State Government to perform the functions of the Commissioner for a period not exceeding 6 months with effect from the date of occurrence of the vacancy, or until his successor shall have been duly appointed, whichever is earlier. (10) The State Government shall determine the nature and categories of officers and other employees required to assist the Commissioner in the discharge of his functions and provide the Commissioner with such officers and other employees as it thinks fit. (11) The officers and employees provided to the Commissioner shall discharge their functions under the general superintendence of the Commissioner. (12) The salaries and allowances and other conditions of service of officers and employees provided to the Commissioner shall be such as may be prescribed by the State Government.
80	61. Powers of the Commissioner – The Commissioner within the State shall – (a) co-ordinate with the departments of the State Government for the programmes and schemes, for the benefit of persons with disabilities;	61. Powers of the Commissioner: (1)The Commissioner shall – (a) coordinate with the departments of the State Government for the programmes and schemes, for the benefit of persons with disabilities;

	(b) monitor the utilization of funds disbursed by the State Government; (c) take steps to safeguard the rights and facilities made available to persons with disabilities; (d) submit reports to the State Government on the implementation of the Act at such intervals as that Government may prescribe and forward a copy thereof to the Chief Commissioner.	(b) monitor the utilization of funds disbursed by the State Government; (c) investigate and monitor all matters relating to the safeguards provided for persons with disabilities under this Act or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards; (d) inquire into specific complaints with respect to the deprivation of rights and safeguards of persons with disabilities; (e) participate in and advise on the planning process for all-round development of persons with disabilities and to evaluate the progress of their development under the State Government; (f) present to the State Government annually and at such other times as the Commissioner may deem fit, reports upon the working of those safeguards and forward a copy thereof to the Chief Commissioner; (g) make in such reports recommendations as to the measures that should be taken by the State for the effective implementation of those safeguards and other measures for the protection, welfare and all-round development of persons with disabilities; and (h) discharge such other functions in relation to the protection, welfare and development and advancement of persons with disabilities as the State Government may, subject to the provisions of any law made by Parliament, by notification specify. (2) The State Government shall cause all such reports to be laid before Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.
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81.	62. Commissioner to look into complaints with respect to matters relating to deprivation of rights of persons with disabilities - Without prejudice to the provisions of section 61 the Commissioner may of his own motion or on the application of any aggrieved person or otherwise look into complaints with respect to matters relating to – (a) deprivation of rights of persons with disabilities; (b) non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions made or issued by the appropriate Governments and the local authorities for the welfare and protection of rights of persons with disabilities.	62. Commissioner to look into complaints with respect to matters relating to deprivation of rights of persons with disabilities – (1) Without prejudice to the provisions of section 61 the Commissioner may of his own motion or on the application of any aggrieved person or otherwise look into complaints with respect to matters relating to – (a) deprivation of rights of persons with disabilities; (b) non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions made or issued by the appropriate Governments and the local authorities for the welfare and protection of rights of persons with disabilities. (2) Whenever the Commissioner makes a recommendation to an authority in pursuance of sub-section (1) above, that authority shall take necessary action on it, and inform the Commissioner of the action taken within three months from the date of receipt of the recommendation; Provided that where an authority does not accept a recommendation, he shall convey reasons for non-acceptance to the Commissioner within the above period of three months, and shall also similarly inform the aggrieved person referred to in sub-section (1).
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82	63. Authorities and officers to have certain powers of civil court – The Chief Commissioner and the Commissioners shall, for the purpose of discharging their functions under this Act, have the same powers as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:- (a) Summoning and enforcing the attendance of witnesses; ...	63. Chief Commissioner and Commissioners in States to have certain powers of Civil Court - The Chief Commissioner and the Commissioners shall, for the purpose of discharging their functions under this Act, have the same powers as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:- (a) summoning and enforcing the attendance of witnesses and examining them on oath;
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
	Chapter XIII- Social Security	
83	66. Appropriate Governments and local authorities to undertake rehabilitation- (1) The appropriate Governments and the local authorities shall within the limits of their economic capacity and developments undertake or cause to be undertaken rehabilitation of all persons with disabilities. (2) For purposes of sub-section (1), the appropriate Governments and local authorities shall grant financial assistance to non-governmental organizations. (3) The appropriate Governments and local authorities while formulating rehabilitation policies shall consult the non-governmental organizations working for the cause of persons with disabilities.	66. Disability Pension - (1) Appropriate Governments shall, within the limits of their economic capacity and development, implement schemes for grant of disability pension to persons suffering from severe or multiple disabilities. (2) Appropriate Governments and local authorities shall, within the limits of their economic capacity and development, implement schemes for grant of pension to women with disability. (3) The Scheme referred to in sub-section (1) shall inter-alia lay down the income and other criteria for eligibility, rates of disability pension, and mode of payment.
84	67. Insurance scheme for employees with disabilities (1) The appropriate Government shall by notification frame an insurance scheme for the benefit of its employees with disabilities.	67. Comprehensive Insurance for persons with disabilities - Appropriate Government shall, within the limit of their economic capacity and development, by notification frame a comprehensive insurance scheme for persons with disabilities, not covered under the Employees State Insurance Schemes, or any other statutory or government-sponsored insurance schemes, to provide to them the following benefits namely:-

	(2) Notwithstanding anything contained in this section, the appropriate Government may instead of framing an insurance scheme frame an alternative security scheme for its employees with disabilities	(i) in the case of persons with disability suffering from such serious ailments as may be specified in the scheme, payment of cost of medical treatment to such extent and in such manner as the scheme may provide, (ii) accident insurance, if accident results in additional disablement, to be compensated through monthly additional payment till the person recovers to resume economic activity, and (iii) life insurance of such reasonable sum, as the scheme may provide.
85	68. Unemployment allowance - The appropriate Governments shall within the limits of their economic capacity and development shall by notification frame a scheme for payment of an unemployment allowance to persons with disabilities registered with the Special Employment Exchange for more than two years and who could not be placed in any gainful occupation.	68. Unemployment allowance - The appropriate Governments shall by notification frame or implement a scheme within a period not exceeding two years from the commencement of the Amendment Act of 2009, for payment of unemployment allowance to persons with disabilities registered with an Employment Exchange for more than two years who have not been placed in any gainful occupation, and who satisfy such other conditions in regard to family income etc. as the scheme may specify.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
86	New Provision	Chapter XIII A: National Fund for Persons with Disabilities
87	New Provision	68A. Definitions – In this Chapter, unless the context otherwise requires:- (a) "Erstwhile Fund" means the National Fund for People with Disabilities, constituted vide notification no. SO 573 (E) dated 11.08.1983 under the Charitable Endowments Act, 1890. (b) "Trust Fund" means the Trust Fund for Empowerment of Persons with Disabilities, constituted vide notification no 30-03/2004-DDII dated 21.11.2006, under the Charitable Endowment Act, 1890.
88	New Provision	68B. Establishment of a National Fund for Persons with Disabilities (1) With effect from such date as the Central Government may, by notification, appoint in this behalf, there shall be constituted for the purposes of this Act, a Fund to be called the National Fund for Persons with Disabilities. (2) The National Fund for Persons with Disabilities shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
89	New Provision	68C. Dissolution of Erstwhile Fund and Trust Fund and transfer of their rights, assets and liabilities to the National Fund for Persons with Disabilities. On and from the date of the constitution of the National Fund for Persons with Disabilities in accordance with Section 68B, the Erstwhile Fund and the Trust Fund shall stand dissolved, and on such dissolution – (a) all properties and assets, movable and immovable, of, or belonging to the two dissolved funds shall vest in the National Fund for Persons with Disabilities. (b) all rights and liabilities of the two dissolved funds shall be transferred to, and be the rights and liabilities of the National Fund for Persons with Disabilities, (c) without prejudice to the provisions of clause (b) all liabilities incurred, all contracts entered into, and all matters and things engaged to be done by, with or for the two dissolved Funds, shall be deemed, as the case may be, to have been incurred, entered into, or engaged to be done by, with or for, the National Fund for Persons with Disabilities; (d) all sums of money due to the two dissolved Funds immediately before their dissolution shall be deemed to be due to National Fund for Persons with Disabilities; (e) all suits and other legal proceedings instituted or which could have been instituted by or against the two dissolved Funds immediately before their dissolution may be continued or may be instituted by or against the National Fund for Persons with

		Disabilities.																														
90	New Provision	68D. Governing Body of the Fund (1) The National Fund for Persons with Disabilities shall be governed by a Governing Body consisting of:- <table border="0"> <tr> <td>(i)</td> <td>The Finance Secretary to the Government of India</td> <td>Chairperson, ex-officio</td> </tr> <tr> <td>(ii)</td> <td>Secretary, Ministry of Social Justice & Empowerment, in the Central Government</td> <td>Vice-Chairperson</td> </tr> <tr> <td>(iii)</td> <td>Secretary, Department of Financial Services / Banking, in the Central Government</td> <td>s, ex-officio</td> </tr> <tr> <td>(iv)</td> <td>Chairperson, Rehabilitation Council of India</td> <td>Member, ex-officio</td> </tr> <tr> <td>(v)</td> <td>Chairperson, National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities</td> <td>Member, ex-officio</td> </tr> <tr> <td>(vi)</td> <td>Financial Advisor, Ministry of Social Justice & Empowerment, in the Central Government</td> <td>Member, ex-officio</td> </tr> <tr> <td>(vii)</td> <td>Representatives of the following Ministries of the Central Government, not below the rank of a Joint Secretary:</td> <td>Members, ex-officio</td> </tr> <tr> <td></td> <td>(a) Health & Family Welfare</td> <td></td> </tr> <tr> <td></td> <td>(b) Human Resource Development (Deptt. of School Education & Literacy, and Deptt. of Higher Education)</td> <td></td> </tr> <tr> <td></td> <td>(c) Labour & Employment</td> <td></td> </tr> </table>	(i)	The Finance Secretary to the Government of India	Chairperson, ex-officio	(ii)	Secretary, Ministry of Social Justice & Empowerment, in the Central Government	Vice-Chairperson	(iii)	Secretary, Department of Financial Services / Banking, in the Central Government	s, ex-officio	(iv)	Chairperson, Rehabilitation Council of India	Member, ex-officio	(v)	Chairperson, National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities	Member, ex-officio	(vi)	Financial Advisor, Ministry of Social Justice & Empowerment, in the Central Government	Member, ex-officio	(vii)	Representatives of the following Ministries of the Central Government, not below the rank of a Joint Secretary:	Members, ex-officio		(a) Health & Family Welfare			(b) Human Resource Development (Deptt. of School Education & Literacy, and Deptt. of Higher Education)			(c) Labour & Employment	
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		(viii) Five Members representing Members different types of disabilities, to be nominated by the Central Government, by rotation (ix) A Chief Executive Officer to be Member-appointed by the Central Secretary, Government, who shall not be ex-officio below in rank to a Joint Secretary to the Government of India (2) The Governing Body shall meet as often as necessary, but at least once in every financial year. (3) The Governing Body may associate with itself, in such manner and for such purpose as may be determined by regulations, any person whose assistance or advice it may desire for carrying out any of the objects of the Trust. (4) Nominated members shall hold office for not more than three years. (5) No Member of the Board shall be a beneficiary of the Trust during the period such Member holds office. (6) No person shall be nominated as a member if he/ she - - is, or become, of unsound mind or is so declared by a competent court; or - is, or has been, convicted of an offence, which in the opinion of the Central Government, involves moral turpitude; or - is, or at any time has been, adjudicated as an insolvent
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91	New Provision	68E. Sources of Income for the National Fund for Persons with Disabilities As from the date of constitution of the National Fund for Persons with Disabilities u/s 68B, (hereinafter referred to as "the Fund"), under Section 68 B, the following shall be credited into it, viz.: (a) all moneys payable by banks, corporations, etc., in pursuance of judgment dated 16.04.2004 of the Supreme Court in Civil Appeal No.4655 and 5218 of 2000; (b) all moneys received from the Central Government; (c) all moneys received by the Fund by way of grant, gifts, donations, beneficiations, bequests or transfers; and (d) all moneys received by the fund in any other manner or from any other source.
92	New Provision	68F. Management and Utilization of the Fund (1) Central Government may from time to time fix an amount to be known as the corpus of the Fund; (2) An amount equal to the corpus shall be invested in such manner as may be prescribed and shall not be spent, except with the prior approval of the Central Government. (3) All moneys belonging to the Fund shall be deposited in such banks or invested in such manner as the Governing body, may, subject to the general guidelines of the Central Government, decide. (4) Amounts in excess of the corpus, including the interest accruing on the corpus, may be spent for one or more of the following purposes in relation to persons with disabilities:

		(i) education, health and rehabilitation (ii) vocational training and employment (iii) generation of awareness (iv) administrative and other expenses of the Fund, as may be required to be incurred by or under this Act, and (v) such other purposes as may be prescribed.
93	New Provision	68G. Chief Executive Officer and Staff of Fund.- (1) The Central Government shall appoint a Chief Executive Officer of the Fund to exercise such powers and perform such duties under the direction of the Governing Body as may be prescribed or as may be delegated to him by the Chairperson. (2) The Governing Body shall, with the previous approval of the Central Government, appoint such other officers and employees as it considers necessary to carry out the objectives of the Fund.\ (3) The salary and allowances payable to, and the other terms and conditions of service of, the Chief Executive Officer, other officers and employees of the Fund shall be such as may be determined by regulations.
94	New Provision	68H. Budget: The Board shall prepare, in such form and at such time in each financial year as may be prescribed, the budget for the next financial year showing the estimated receipt and expenditure of the Fund, and shall forward the same to the Central Government,

95	New Provision	68 I. Accounts & Audit: (1) The Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts of the Trust including the income and expenditure accounts in such form as the Central Government may prescribe and in accordance with such general direction as may be issued by that Government in consultation with the Comptroller and Auditor-General of India. (2) The accounts of the Trust shall be audited by the Comptroller and Auditor General of India at such intervals as may be specified by him and any expenditure incurred by him in connection with such audit shall be payable by the Trust to the Comptroller and Auditor-General of India. (3) The Comptroller and Auditor-General of India and other person appointed by him in connection with the audit of the accounts of the Trust shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India generally has in connection with the audit of the Government accounts, and in particular, shall have the right to demand production of books of accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Trust. (4) The accounts of the Trust as certified by the Comptroller, and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually to the Central Government, which shall cause the same to be laid before each House of Parliament.
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96	New Provision	68 J. Annual Report: The Governing Body shall prepare every year, in such form and within such time as may be prescribed, an annual report giving a true and full accounts of its activities during the previous financial year and copies thereof shall be forward to the Central Government, which shall cause the same to be laid before each House of Parliament.
97	New Provision	68 K. Authentication of Orders : All orders and decisions of the Board and instrument issued in the name of the Fund shall be authenticated by the signature of the Chairperson, the Chief Executive Officer or any other officer authorized by the Chairperson, in this behalf.
98	New Provision	68L. Returns & Information : The Board shall furnish to the Central Government such reports, returns and other information as that Government may require time to time.
99	New Provision	68M. Powers of Central Government: (1) Without prejudice to the foregoing provisions of this Act, the Board shall, in exercise of its power or the performance of its duties under this Act, be bound by such directions on questions of policy as the Central Government may give to it in writing from time to time: Provided that the Board shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section. (2) The decision of the Central Government on whether a question is one of policy or not shall be final.

100	New Provision	68N. Exemption from Tax on Income- Notwithstanding anything contained in the Income-tax Act, 1961, or any other law for the time being in force relating to tax on income, profits or gains, the Trust shall not be liable to pay income-tax or any other tax in respect of its income, and profits or gains derived therefrom.
101	New Provision	68O. Protection of action taken in Good Faith No suit, prosecution or other legal proceeding shall lie against the Central Government or the Trust or any member of the Board or Chief Executive Officer or any officer or other employee of the Trust or any other person authorized by the Board to perform duties under this Act for any loss or damage caused or likely to be caused by anything which is done in good faith. Explanation -For the purposes of this section, the expression "good faith" shall have the same meaning as assigned to it in Section 52 of the Indian Penal Code (45 of 1860)
102	New Provision	68P. Delegation The Board may, by general or special order in writing, delegate to the Chairperson or any member or any officer of the Fund, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers under this Act (except the power to make regulations under section 68(Q) as it may deem necessary.

103	New Provision	68Q. Power to make Regulation (1) The Board may, with the previous approval of the Central Government, by notification in the Official Gazette, make regulations consistent with this Act and rules generally to carry out the, purposes of this Act. (2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:- (a) the manner and purpose for which persons may be associated under sub-section(3) of section 68D. (b) the time and place at which the Board shall meet under clause(2) of section 68D; (c) the terms and conditions of service of the Chief Executive Officer, other officers and employees of the Fund under section 68G.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)
	Chapter XIV: Miscellaneous	Chapter XIV: Miscellaneous
104	New Provision	70A. Creation of Awareness on disability related issues The appropriate Government and local authorities shall endeavour to – (a) ensure that effective and appropriate measures are taken to raise awareness in society, including at the family level, regarding persons with disabilities, and to foster respect and dignity of their person and rights; (b) combat prejudices and harmful practices relating to persons with disabilities, in all areas of life; (c) promote awareness about the capabilities and contributions of persons with disabilities by adopting measures such as initiating and maintaining public awareness campaigns which should be designed to nurture receptiveness to and attitude of respect for persons with disabilities, (d) promote positive perceptions, greater social awareness and recognition of the skills, merits and abilities of persons with disabilities and of their contributions to the work place; (e) encourage the media to portray persons with disabilities on equal basis with persons without disabilities;

105	New Provision	70B. Recreation Facilities (1) The appropriate Government and local authorities shall, within the limits of their economic capacity and development, promote development and utilization of creative, artistic and intellectual potential of persons with disabilities, not only for their own benefit, but also for the enrichment of society. (2) Without prejudice to the generality of sub-section(1), the appropriate government and local authorities shall take necessary measures to: (a) encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels; (b) ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities (c) encourage the provision of appropriate instruction, training and resources; (d) ensure that persons with disabilities have access to sporting, recreational and tourism venues; (e) ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including activities in schools.
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S. No.	Present Provision	Proposed Provision (Changes indicated in bold)															
106	New Provision	70C. Replacement of “Central Coordination Committee”, “Central Executive Committee”, “State Coordination Committee” and “State Executive Committee” with their new nomenclature in certain sections In the sections shown in col. 1 of the table below, the phrases appearing in col. 2, wherever it occurs, shall be replaced by those appearing in col. 3 of the table; <table border="1"> <thead> <tr> <th>Section</th><th>Present Phrase</th><th>To be replaced by the Phrase</th></tr> </thead> <tbody> <tr> <td>5,6,7</td><td>Central Coordination Committee</td><td>Central Advisory Board</td></tr> <tr> <td>11,12</td><td>Central Executive Committee</td><td>Central Coordination and Monitoring Committee</td></tr> <tr> <td>15,16,17</td><td>State Coordination Committee</td><td>State Advisory Board</td></tr> <tr> <td>21,22</td><td>State Executive Committee</td><td>State Coordination and Monitoring Committee</td></tr> </tbody> </table>	Section	Present Phrase	To be replaced by the Phrase	5,6,7	Central Coordination Committee	Central Advisory Board	11,12	Central Executive Committee	Central Coordination and Monitoring Committee	15,16,17	State Coordination Committee	State Advisory Board	21,22	State Executive Committee	State Coordination and Monitoring Committee
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107	New Provision	72-A. Power of Central Government to notify guidelines for assessment of disabilities. (1) Central Government may, from time to time, notify guidelines to be followed by medical authorities in assessing the extent of disability, and for determining whether a person is a “person with disability” or a “person with severe disability” for the purpose of this Act. (2) Central Government will notify guidelines under sub-section (1) after following such procedure as may be prescribed.															
108	73. Power of appropriate Government to make rules – (1) The appropriate Government may, by notification, make rules for carrying out the provisions of this Act.	73. Power of appropriate Government to make rules - (1) The appropriate Government may, by notification, make rules for carrying out the provisions of this Act.															

	(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:- (a)..... (s)..... (t) (zh) (3) (4)	(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:- (a)..... (s)..... 73.(2)(sa) the period within which an application made under sub-sections (1) and (5) of Section 52 shall be disposed off by the Competent Authority. (t) (zh) (3) (4)
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