

**GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

UNSTARRED QUESTION NO:978
ANSWERED ON:15.11.2010
AMENDMENT TO PWD ACT, 1995
Banerjee Shri Ambica

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether the Government has decided to simplify the process of obtaining disability certificate;
- (b) if so, the details thereof;
- (c) whether the Persons with Disability Act, 1995 is being amended; and
- (d) if so, the details thereof?

Answer

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT(SHRI D. NAPOLEON)

(a) & (b) Yes Sir, the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 1996 have been amended vide this Ministry's notification no.16-02/2007-DD-III dated 30.12.2009. The amended rules enable a simplified and decentralized procedure for issue of disability certificate. Disability certificate can now be issued by a single doctor in respect of obvious disabilities at the level Primary Health Centre (PHCs)/Government Medical Practitioner, Community Health Centres and Hospitals at the Sub-Divisional level. In case of non obvious disabilities, certificate can be issued by a specialist. Only in case of multiple disability, a Medical Board is required. Further, Medical Certificate is to be issued as far as possible within 7 days from the date of application but in any case not later than one month.

State Governments have also been requested to make similar amendments in their PwD Rules and notify their medical authorities accordingly.

(c) & (d) A Committee consisting of representatives of various stake holders, experts in disabilities etc. has been set up on 30.04.2010 to study the suggestions received from State Governments, concerned Central Ministries and several other sources on the proposed amendments to the PwD Act, 1995 and to prepare a new draft Legislation aligning it with the provisions of the United Nations Convention on the Rights of Persons with Disabilities.