

Disability Bulletin

Developments in Disability Law & Policy

Edition 7

Policy Developments

1. Nationwide Recognition for Visakhapatnam Police's Disha Divyang Suraksha Program

The Disha Divyang Suraksha (DDS) initiative by the [Visakhapatnam City Police](#) has gained nationwide recognition for its innovative approach to assisting individuals with visual and hearing impairment in lodging police complaints. Launched to empower these individuals, the program has received positive feedback from various State Police Departments across India, who seek to replicate the success of the DDS.

Key Features

For persons with visual impairments: Key features of the DDS include the availability of Braille scripts in police stations, allowing persons with visual impairment to file complaints with ease. These complaints are then transcribed into text by experts and printed using specialized Braille printers. Additionally, persons with visual impairment can communicate verbally through a dedicated mobile number, with audio recordings that is converted into formal FIRs.

For persons with hearing impairments: For the hearing and speech impaired, the DDS provides options to record complaints in sign language, either via video or in person at the police station. Trained sign language experts then convert these recordings into text.

Since its launch, the DDS has successfully received around 74 complaints from across Andhra Pradesh, highlighting its effectiveness in addressing various issues, including sexual harassment and land disputes.

The Need for Such a Program

Visakhapatnam Police Commissioner A. Ravi Shankar emphasized the need for such a program, noting the historical challenges faced by individuals with visual and hearing impairment when reporting crimes due to embarrassment and procedural complexities. Alarming statistics reveal that approximately **14,000 cases** have been documented over the past five years concerning individuals with blindness and those who are deaf-mute. The cases include 40 suspicious deaths, 13 marital disputes, 10 cases of fraud, 21 missing persons reports, 10 incidents of rape, 11 property-related issues, 23 cases of fraud, and 23 physical assault incidents. Furthermore, seven cases were registered under the Protection of Children from Sexual Offences (POCSO) Act.

Media Releases: [The Hindu](#) and [Deccan Chronicle](#)

2. Center Proposes Stricter Norms for Disability Certificates (UDID) Amid Concerns from Activists

The Union government published draft [amendments](#) (link provides detailed insight into the changes) to the Rules of the Rights of Persons with Disabilities Act (RPwD Act) of 2016, aiming to tighten the requirements for obtaining disability certificates (i.e., the Unique Disability Identity (UDID) certificate). This move follows the controversy surrounding [Puja Khedkar](#) - a dismissed IAS probationer accused of faking her disability certificate. The proposed amendments primarily focus on Rules 17 (Application for disability certificate) and 18 (Issue of certificate of disability) of the [RPwD Rules, 2017](#).

Key Changes Include

- Extending the certification issuance timeline from one month (from the date of receipt of application) to three months, though the draft lacks clarity on when this three-month period begins (after the receipt of application or after the medical examinations). Currently, there is a struggle to meet the one-month deadline, with reports of delays due to multiple hospital visits.
- The amendments require extra identity proofs and restrict applications to specific certifying authorities such as the blind school principal, potentially excluding some certifying officials.

Despite previous efforts to simplify the certification process, inconsistencies in assessments persist, particularly for individuals with invisible disabilities. The UDID issuance process has been given statutory authority with the introduction of three types of Unique Disability IDs (UDIDs) is also proposed, which would feature color-coded cards based on disability percentage: white for below 40%, yellow for 40% to 80%, and blue for above 80%. Without mapping benefits to each of the disability severity-levels, critics argue that this could exacerbate discrimination against those with invisible disabilities, such as mental health conditions. Overall, while the proposed changes aim to prevent misuse of certificates, they risk further marginalizing individuals with disabilities, undermining the intent of the RPwD Act, 2016, which seeks to promote inclusion and accessibility.

As on October 22, 2024, the Government enforced the above amendments to the UDID certification rules.

Media Release: [The Hindu](#) and [The Print](#)

3. Government Signs Over 72 MoUs with Start-ups to Empower Persons with Disabilities

The National Institutes and Composite Regional Centers (CRCs) of the Department of Empowerment of Persons with Disabilities (DEPwD) signed more than 70 Memoranda of Understanding (MoUs) on [July 22, 2024](#). This significant collaboration took place between the DEPwD and various startups and private organizations, aimed at addressing the needs of individuals with disabilities.

The ceremony was presided over by Union Minister for Social Justice and Empowerment, Dr. Virendra Kumar, and included participation from National Institutes and Composite Regional Centers (CRCs) under the DEPwD. Participation for the MoUs signing was done both physically and virtually, emphasizing the commitment to integrate disability-inclusive practices across multiple sectors and regions. Over 100 organizations from across the country participated in this event. The national institutions and CRCs were instructed to sign MoUs with these various organizations to ***“expand the department’s scope and meet the needs of persons with disabilities.”*** According to the Ministry of Social Justice and Empowerment, these partnerships are not merely formal agreements, they represented strategic alliances designed to deliver tangible benefits to the Divyangjan (persons with disabilities) across various areas. The ministry highlighted that this initiative aims to create a society where every individual can lead a life of dignity and fulfillment.

Media Release: [Zeebiz](#) and [Hindupost](#)

Legal Developments

1. Rights of Persons with Disabilities (Amendment) Rules, 2024

In a significant move to promote inclusivity, the Ministry of Social Justice and Empowerment has issued the Rights of Persons with Disabilities (Amendment) Rules, 2024.

The 2024 amendment expands the scope of accessibility standards under the Rights of Persons with Disabilities (RPwD) Rules, 2017 to include three critical public infrastructures—police stations, prisons, and disaster mitigation centers. Published on June 19, 2024, these amendments took immediate effect, focusing on enhancing accessibility for persons with disabilities in various key public services. This move follows the guidelines set out by the Ministry of Home Affairs (MHA) in its January 2, 2024 notification, which specified the necessary accessibility standards and guidelines for these facilities.

On June 24, 2024 amended Rule 15 to include accessibility standards for educational institutions. Recent draft notifications (on October 7) have been circulated for inclusion of accessibility standards in the insurance sector.

The table below highlights how the amendments are intended to improve access and usability for persons with disabilities in critical public infrastructures.

Notification Title	Date	Draft Rules	Impact
Expansion of Accessibility Standards	June 19, 2024	Amends the Rights of Persons with Disabilities (RPwD) Rules, 2017 to include accessibility standards for: <ul style="list-style-type: none">• Police Stations• Prisons• Disaster Mitigation Centers	Ensures equal access to the justice system and improves the quality of life for inmates with disabilities. Promotes inclusivity and equal access to law enforcement services. Enhances living conditions and accommodations for inmates with disabilities. Ensures inclusion in disaster preparedness and response initiatives.
Accessibility Code for Educational Institutions	June 24, 2024	Amends Rule 15 (Rules for Accessibility) of the RPwD Rules, 2017 to include a new clause (n) for an Accessibility Code for Educational Institutions.	Establishes standardized accessibility requirements in educational settings, promoting inclusion for students.
Accessibility Standards in the Insurance Sector	October 10, 2024	Introduces a draft amendment to the RPwD Rules, 2017 to include accessibility standards and guidelines for the insurance sector.	Ensures compliance with the Rights of Persons with Disabilities Act, enhancing accessibility in insurance services.

2. Transforming Justice through Technology: Kerala's 24x7 ON Courts

On August 16, 2024, a groundbreaking reform was inaugurated at the Kerala High Court with the launch of the ["24x7 ON Courts" system in Kollam](#). This initiative marks a significant step forward in judicial reform aiming to tackle long-standing issues of court delays and high caseloads in India. Supported by the [Public Collective for Avoidance and Resolution of Dispute \(PUCAR\)](#), the ON Courts are designed to enhance the efficiency and accessibility of the judicial process.

The 24x7 ON Courts represent more than just a digitization of existing processes; they embody a fundamental rethinking of how disputes are resolved within the judiciary.

Key Features of the 24X7 On Courts

- The system allows litigants, lawyers, and law clerks to create accounts to monitor their cases online, simplifying complaint filing and enabling asynchronous scheduling requests.
- The ON Courts allows for asynchronous re-scheduling requests. Lawyers will be able to submit scheduling requests in collaboration with judges, reducing the frustration and inefficiency associated with cases being adjourned unexpectedly.
- The 24x7 ON Courts initiative acknowledges the necessity of separating judicial work from the administration of justice. The On Courts will help simplify administrative processes such as case scheduling, cause lists, document service, and the management of pleadings.

By refining these aspects of the legal system, the ON Courts aspire to create a more navigable and user-friendly judicial framework. Initially focusing on cheque-bouncing disputes, the ON Courts will serve as a pilot project, allowing for real-time learning and adjustments to the system. The insights gained from this experiment will be pivotal in shaping future reforms across India's justice system, which has struggled with delays and case backlogs for over seven decades. Courts are no longer merely digitizing physical processes but are actively rethinking how justice is administered, aiming to create systems that are easier to navigate and more equitable for all participants.

Media Release: [The Print](#)

3. Supreme Court of India Launches Handbook on Disability Rights

On September 28, 2024, Chief Justice of India Dr. D.Y. Chandrachud launched the ['Handbook Concerning Persons with Disabilities'](#) during the [9th Annual National Consultation Stakeholders Consultation](#) organized by the Juvenile Justice Committee of the Supreme Court of India in association with UNICEF India. The aim of the hand book is "to aid and sensitize the legal community and society at large towards use of inclusive terminology with regard to disabilities." The Handbook will also be released in Braille and as an Audiobook.

Justice B.V. Nagarathna, Chairperson of the Juvenile Justice Committee, during the inauguration, highlighted the critical role of language in discussions around disabilities. She referenced a Supreme Court judgment that emphasized avoiding terms that individualize impairments while ignoring social barriers. The handbook includes a dedicated chapter titled "Language and Disabilities," underscoring how judicial language can significantly impact societal attitudes toward persons with disabilities. The handbook provides a list of 36 terms that perpetuate stereotypes about disabilities, along with recommended alternatives for lawyers and judges.

Examples of Appropriate Language

- instead of using "abled-bodied" or "normal," it suggests "persons without disabilities." Other terms such as
- "abnormal" should be replaced with "persons with a disability" or "persons with a condition/impairment,"
- "differently-abled" is discouraged in favor of specifying the type of disability.
- "disabled washroom" should be referred to as "accessible washroom."

Additionally, key guidelines for judges include

- using neutral language (e.g., saying someone “has [condition]” rather than “is afflicted”),
- not presuming medical conditions without confirmation,
- mentioning disabilities only when relevant, and
- avoiding defining individuals solely by their disabilities.
- It also encourages respecting individuals’ preferences regarding how they wish to be described, recognizing the diversity of experiences among those with disabilities, and being adaptable to evolving language.

The launch of the ‘Handbook Concerning Persons with Disabilities’ marks a vital step toward promoting respectful and accurate discussions in legal settings. This initiative aligns with the Rights of Persons with Disabilities Act, 2016, and the United Nations Convention on the Rights of Persons with Disabilities, 2006, advocating for a more inclusive and equitable society for individuals with disabilities.

Media Release: [LiveLaw.in](https://www.livelaw.in)

4. Justice Nagarathna Advocates for Comprehensive Reforms in Disability Support Systems for Children

Justice B. V. Nagarathna, Chairperson of the Supreme Court’s Juvenile Justice Committee, has called for significant reforms in the support systems for children with disabilities. Speaking at the 9th Annual National Stakeholders Consultation on “Protecting the Rights of Children Living with Disabilities,” she highlighted critical issues such as:

- the lack of reliable data on the number of children with disabilities.
- the need for early intervention. She underscored the importance of training and equipping anganwadi workers to diagnose disabilities early.
- the need for the Right to Education (RTE) Act to be enforced effectively, ensuring children with disabilities have equitable access to education. To facilitate this, schools need to be equipped with the necessary infrastructure and resources.
- provision of lifelong disability pensions for affected children by the Government, emphasizing their financial security and well-being.

- the need to leverage Corporate Social Responsibility (CSR) funding to supplement government initiatives aimed at supporting children with disabilities.
- setting up justice and child protection systems to be inclusive, accessible, and free from discrimination. Children with disabilities should enjoy the same legal protections as their peers.
- collaborative efforts among the government, NGOs, and families to create nurturing environments that support the growth and independence of children with disabilities.

Media Release: [Indian Express](https://www.indianexpress.com)