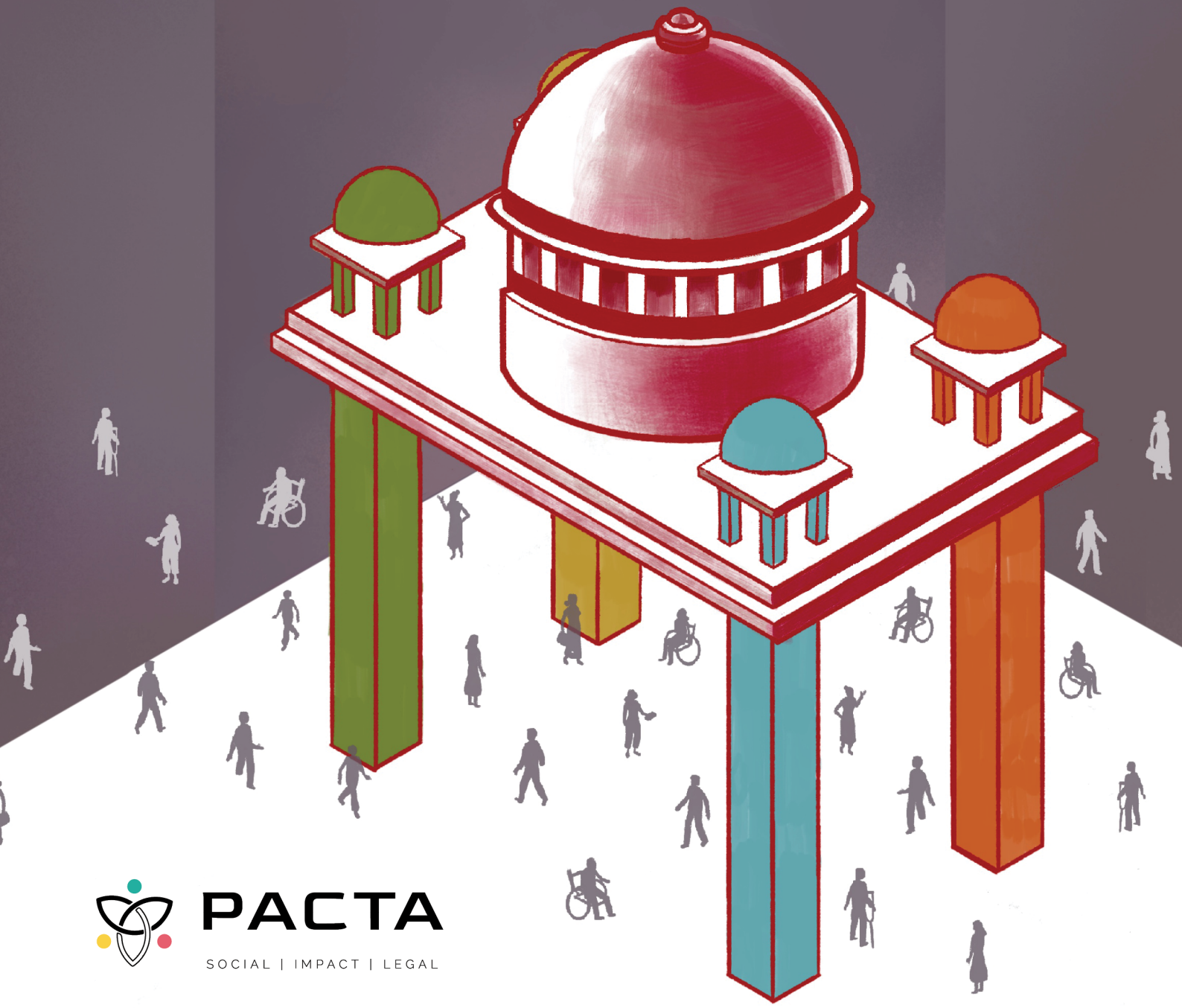
Access to Justice

FOR PERSONS WITH DISABILITIES IN INDIA

A DATA-INFORMED REPORT



PACTA

SOCIAL | IMPACT | LEGAL

POLICE | PRISONS | JUDICIARY | LEGAL AID

Pacta is a social sector exclusive law firm and policy think tank bridging gaps in law and policy implementation through rigorous research.

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Preface

The Access to Justice for Persons with Disabilities in India report is a first of its kind research study. This report carves out the legal mandate for an inclusive justice system for persons with disabilities and maps it against data mandates and publicly available data, in an attempt towards the attainment of the constitutional vision of justice for all citizens in India.

This research focuses on four critical pillars of the justice system — police, prisons, judiciary, and legal aid. It examines how these institutions collect and report data pertaining to persons with disabilities, and whether such data enables or hinders the development of inclusive systems.
The report reviews available evidence on four key dimensions:
· Accessibility of built-infrastructure
· Representation of persons with disabilities in justice institutions as employees
· Participation of persons with disabilities as users of justice services
· Institutional responses for disability inclusion

By mapping the presence — and significant absence — of disaggregated data across these domains, this report seeks to identify systemic blind spots, encourage transparent reporting, and advocate for evidence-based reforms that promote accountability and inclusion. While the report draws primarily on government-published datasets and public documents, it is also informed by jurisprudence, secondary research, and field-level insights.
Access to justice is a foundational right and a necessary condition for the realisation of all other rights. Yet, for persons with disabilities in India, the justice system remains difficult to navigate — marked by physical, procedural, attitudinal, and systemic barriers.
This report by Pacta emerges from our sustained engagement with the intersections of law, policy, and disability rights, and is grounded in the belief that justice systems must be designed to serve everyone.

This work is intended for policymakers, civil society actors, researchers, and justice sector stakeholders who are committed to transforming the justice system into one that reflects the diversity and dignity of all its users.

As India makes strides towards making its public systems inclusive and accessible for all, we hope that this report serves as a repository of baseline data, and spurs action towards data collection and reporting of persons with disabilities in the justice system.

Foreword



In 2005, Rajive Raturi, a blind disability rights activist, approached the Supreme Court of India. His petition wasn't about a single grievance – it was about systemic exclusion. He highlighted how persons with disabilities across the country were unable to access the basic architecture of justice. It pointed out courtrooms without ramps or tactile signs, police stations unequipped to communicate, and prison systems that rendered persons with disabilities invisible. His case, Rajive Raturi v. Union of India,1 became a landmark moment in India's legal journey toward implementing the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which India ratified in 2007.

The judgment that followed did more than respond to a plea. It laid down a blueprint for access, directing governments to audit public buildings, issue accessibility guidelines, and begin the long-overdue task of ensuring that justice is not only a right in theory, but a reality in practice. India has made notable legislative strides with the enactment of the Rights of Persons with Disabilities Act 2016. The Act replaced outdated definitions and expanded entitlements to twenty-one categories of disabilities. It mandated accessibility, inclusion, and non-discrimination as legal obligations, eschewing from the prevailing view of disability inclusion as charity. But law without enforcement is meaningless. A ceiling, no matter how progressive, collapses without a firm foundation.

This report stands at that critical juncture between policy and practice. It offers a rare and urgent insight into what access to justice really looks like for persons with disabilities in India – not in legislation, but in lived experience. Drawing from four key institutional pillars; Police, Judiciary, Prisons, and Legal Aid; and analysing them across four indicators, the report paints a nuanced picture of both achievement and neglect.

The findings reflect an uneven landscape with moments of progress that remain fragmented, inconsistent, and far from meeting the threshold of meaningful access. The judiciary shows notable progress: the Supreme Court's Accessibility Report, Standard Operating Procedures for accessible court documents, and the formation of Accessibility Committees in seventeen High Courts indicate institutional commitment and initiative. However, a coherent and coordinated strategy for accessibility is required. Other arms of the justice system have also not kept pace.

Police departments remain largely untrained in disability awareness, with limited inclusive recruitment and little capacity to offer reasonable accommodations. Prisons, as this report shows, remain not just inaccessible but often hostile to persons with disabilities. They fail to record disability disaggregated data, and operate under a punitive logic that has no room for vulnerability. Legal aid services, though mandated to support persons with disabilities, suffer from a lack of transparency and evaluation in their outreach or effectiveness.

At the heart of the problem is a profound data vacuum. Disability-disaggregated data across all components of the justice system is rare, inconsistent, or absent. The maxim "what doesn't get measured, doesn't get done" rings especially true here. This report addresses that gap, and in doing so, performs a foundational public service. By collecting, analysing, and systematising data on accessibility across the justice system, it creates the conditions necessary for reform. Reports such as these create archives which can be recalled time and again. It acts as a snapshot in time for posterity to remember where we have come from and how far we have travelled. This report is also a wakeup call to the dismal quantity and quality of data to holistically analyse the state of access to justice for persons with disabilities.

Data-driven reports like this are invaluable. They go beyond anecdotal or moral appeal. They enable precise policymaking, track compliance, and create accountability. They also provide civil society, courts, and policymakers with the tools to move from aspiration to action.

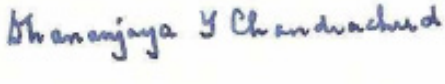
By highlighting what works (like the accessibility efforts in certain High Courts) and what doesn't (like the failure to implement 4% reservations in police recruitment) this report becomes a guide for change, not just a diagnosis of failure.

In documenting the barriers and the breakthroughs, the report makes an even deeper argument: that inclusive systems benefit everyone. Positive measures such as accessible filing systems, disability sensitisation, and representation within institutions do not just help persons with disabilities; they strengthen the justice system as a whole, making it more humane, participatory, and responsive.

This curb cut effect (the principle of universal design that disability friendly design – like curb cuts for wheelchairs – raise the overall accessibility for everyone – like those with strollers, cards and luggage using curb cuts) uplifts our collective expectations from institutions. When we expect better, we demand more; and unless we demand more, we are destined to complicity.
As noted abolitionist Frederick Douglass stated "Power concedes nothing without a demand. It never did and it never will. Find out just what any people will quietly submit to and you have found out the exact measure of injustice and wrong which will be imposed upon them, and these will continue till they are resisted ...."

With the expected release of revised accessibility Rules following the Rajive Raturi judgment,[2] we may be on the cusp of a significant policy shift. But rules alone will not suffice. The ground must be prepared with reliable data, institutional commitment, and meaningful public reporting. This report offers all three. To judges, police officers, prison authorities, legal aid providers, and policymakers: this is more than a study. It is a roadmap.

Readers, policy makers and stakeholders in the justice delivery systems, and academics will benefit immensely from this report. I congratulate Ms Nivedita Krishna and the entire team at Pacta for working on this critical report and for their sustained work as a social sector law firm. Members of the legal fraternity such as Pacta carry our collective aim for social progress forward. I wish this report and its authors great success.



Dr Dhananjaya Y Chandrachud

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We are deeply thankful to the disability rights organisations, advocates, and researchers, whose decades-long advocacy laid the foundation for this inquiry. Special thanks are due to individuals with lived experience of disability who continue to challenge institutions to do better — this report is in service of your vision.

We are grateful to Shri Sudhir Shenoy and the Able Together Trust, whose support enabled us to undertake this research. We owe thanks to Maja Daruwala and Valay Singh of the India Justice Report whose work has inspired and informed the structure of this report and who have mentored us and shared learnings generously, every step of the way.

We are especially grateful to the individuals who generously shared their time and experiences through in-depth interviews. Their perspectives and candid reflections not only revealed insights into the lived experiences of persons with disabilities and attitudes towards disabilities in the justice system, but also added much soul to our work.

We interviewed two IPS officers, three former prisoners through Project Second Chance, New Delhi, Ms. Maitreyi Misra, Executive Director, Project 39A, NLU, New Delhi, Mr Rahul Bajaj, Disability Rights Activist and Advocate, Prof. Sanjay Jain, Professor of Law and former member of the Supreme Court Accessibility Committee, Mr Siddharth Lamba, Law Researcher, NALSA and Advocate Prajwal K Aradhya. We also acknowledge our conversations with the Disability Program Team at Azim Premji Philanthropic Initiatives.

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“Numbers look minuscule because there is no diagnosis. Nobody is trained to identify a disability, it’s about *pata chal jaata hai.*”

~Lawyer and Prisons Mental Health Expert

Data Disabled Justice Systems: An Executive Summary

Access to Justice for persons with disabilities in India is recognised under the Rights of Persons with Disabilities Act (the RPwD Act), 2016, that mandates the provision of accessible physical and digital infrastructure (including accessible documents, court hearing facilities, filing systems, and file referral/retrieval processes), reservation in employment, and disability training and sensitisation to staff at different levels of the justice system.[1,2]

The RPwD Act, aligned with the Principles of the United Nations Convention on Rights of Persons with Disabilities (UNCRPD), aims to promote equal rights and opportunities for those with disabilities.

Thus, accessibility and inclusion in the justice system for persons with disabilities is guaranteed through the following provisions:

[1]Section 12, RPwD Act 2016
[2]Section 34, 40 and 47, RPwD Act 2016

1. **Accessible physical and digital infrastructures of the justice system:** The RPwD Act and Rules read with the Harmonised Guidelines and Space Standards for Barrier-Free Built Environment for Persons with Disabilities and Elderly Persons, 2021 ["Harmonised Guidelines"][3] require all establishments whether public or private to be readied for easy access for persons with disabilities by having, among other things, ramps, lifts, disability-friendly toilets, transportation, and ICT. Particularly related to the justice system, the police stations and prisons are required to comply with the Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, and Prisons & Disaster Mitigation Centres 2021 ["MHA Guidelines"].[4] More recent guidelines such as the Supreme Court Accessibility Report, 2023,[5] the Model Prison Manual, 2016,[6] and the Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, and Prisons & Disaster Mitigation Centres 2021 ["MHA Guidelines"],[7] Supreme Court of India's Handbook Concerning Persons with Disabilities,[8, 9] are also efforts towards increasing access to justice for persons with disabilities, as well as making the justice system more inclusive to them.

At present, accessibility of the justice systems is scattered across two different Rules: The Harmonised Guidelines apply to the judicial and legal aid systems while prisons and police stations are expected to comply with the MHA Guidelines. However, the Supreme Court held the recommendatory/persuasive nature of the sectoral accessibility guidelines listed under Rule 15 to be ultra vires the Disability Act in the recent Rajive Raturi v. Union of India judgement (November 8, 2024). The Court directed the Central/Union Government to segregate the mandatory accessibility rules from the guidelines to ensure stricter compliance with the accessibility standards envisaged in the Act. Once this has been effected, a uniform set of accessibility compliances may cover all establishments.

[3] Harmonised Guidelines and Space Standards for Barrier-Free Built Environment for Persons With Disabilities and Elderly Persons
[4] https://divyangjan.depwd.gov.in/content/upload/uploadfiles/Annex_2.pdf
[5] https://main.sci.gov.in/pdf/LU/06112023_140650.pdf
[6] https://www.mha.gov.in/sites/default/files/2022-12/ModelPrisonMan2003_14112022%5B1%5D.pdf
[7] https://www.mha.gov.in/sites/default/files/2023-11/Campaign_30112023.pdf
[8] https://cdnbbsr.s3waas.gov.in/s3e58aea67b01fa747687f038dfde066f6/uploads/2024/09/20240930824409118.pdf
[9]https://www.mha.gov.in/sites/default/files/2023-11/Campaign_30112023.pdf

2. **Employment opportunities for persons with disabilities in the justice system:** The RPwD Act mandates a 4% reservation in government posts for persons with benchmark disabilities.[10]

A "person with benchmark disability" is an individual with at least 40% impairment in a recognised disability. This definition applies to both disabilities that lack measurable criteria and those with specific definitions, as certified by the relevant authority. Disabilities recognised for reservation under Section 34 include:

a. **blindness and low vision;**
b. **deaf and hard of hearing;**
c. **locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;**
d. **autism, intellectual disability, specific learning disability and mental illness;**
e. **multiple disabilities from amongst persons under clauses**

The RPwD Act mandates a 4% reservation in government posts for persons with benchmark disabilities.

[10]Section 34, RPwD Act 2016

3. **Coordinated justice system responses for the inclusion of persons with disabilities:** The RPwD Act obligates appropriate governments to mandate training on disability rights in all courses for the training of public officials such as police officers and judges.[11] Instances of inclusion such as those by the judiciary in setting up Accessibility Committees and Special Courts, are small steps towards providing meaningful inclusion to enable the participation of persons with disabilities across the justice system.

Positive measures automatically translate into greater and positive justice seeking behaviours by those with disabilities.

Nearly a decade after the RPwD Act 2016 was enacted, the mandates for inclusion of persons with disabilities remain in letter and the justice system in India remains broadly inaccessible to persons with disability and implementation remains unclear.

The lack of data tracking the implementation of positive affirmations for persons with disabilities evidences the extent to which these mandates have been implemented to ensure access to justice in practice.

[11]Section 47, RPwD Act 2016

Why Stress on Data?

Data offers the basis to drive systemic accountability through collective action. In the realm of human rights, data is a key lever to assess the extent of marginalisation and discrimination, identify and remove barriers, and promote substantive equality for all, including persons with disabilities.[12]

The UNCRPD was the first international instrument to mandate data collection, disaggregation of data on persons with disabilities, and dissemination of data to ensure their "visibilisation" in policy making decisions.[13] However, this provision is not reflected in India's RPwD Act.

The principle, "What doesn't get measured, doesn't get done," is a well-known principle in governance. Across the four pillars of justice, very little is getting measured from an access to justice lens for persons with disabilities point of view.

[12]https://www.ohchr.org/sites/default/files/2022-06/G2139630-Accesible.pdf
[13]Article 31, UNCRPD 2007

Where is the data?

Comprehensive, consistent and publicly available data was available only against four sub-indicators, with some of them posing additional limitations. For the other sub-indicators, data was found to be non-existent, incomplete, or sporadic.

Limitations of Publicly Available Data Sources on Specific Sub-Indicators

Sub-indicator	Data source	Limitation of data/ source
Inmates suffering from mental illness	Prison Statistics India	Does not cover all disabilities under the RPwD Act
Psychiatrists/ psychologists in prisons	Prison Statistics India	Does not specify the ratio per inmate or the adequacy/availability across all prison types
Specially-abled judicial officers in the subordinate judiciary	Department of Justice Dashboard[14]	Inconsistent and inaccurate data
Legal aid beneficiaries with disabilities	NALSA Website	Limited information available

Table a: Limitations of data sources

[14]https://dashboard.doj.gov.in/sanctiondata/working_strength

POLICE

Crimes against persons with disabilities:

A lack of awareness and sensitisation about disabilities leaves the police system inadequately equipped to respond to persons with disabilities. No comprehensive data is published on crimes against persons with disabilities, despite Section 92 of the RPwD Act criminalising various offences committed against persons with disabilities. The NCRB maintains a record of rape/sexual assault committed against women with mental or physical disabilities (under Section 376(l) of the Indian Penal Code (IPC)). However, NCRB data is a hyper-focused datapoint that does not provide a holistic picture of crimes against persons with disabilities. Given that Section 92 of the RPwD Act criminalises various offences committed against persons with disabilities, a centralised record on such crimes can be maintained, similar to other special legislations such as the SC/ST Atrocities Prevention Act. The Draft National Policy on Persons with Disabilities, 2021, also called for data capture of cases filed by persons with disabilities and maintenance of disability-segregated data by the NCRB as a crucial measure to safeguard the rights of persons with disabilities.[15]

Disability sensitisation for police:

Effective support for persons with disabilities approaching law enforcement personnel requires the latter to be well-trained and sensitised. However, there have been several reported instances of police mistreatment and violence against the disabled. The MHA Guidelines and the mandates under the RPwD Act require that policemen recording complaints be disability sensitised.[16] Data available on police training on disability rights is sporadic.[17] The paucity of data either reflects a lack of training on disability rights or inadequate data recording methods that leaves the effectiveness of the training open to question. Nonetheless, there have been initiatives from within the police force to enhance access to the system.

[15]https://socwelfare.py.gov.in/sites/default/files/ministry-social-justice-and-empowerment.pdf
[16]Clause 8.5.1, Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021.
[17]The "Latest Updates" section of the Kerala Police Training College contains the information that a session on "Awareness Programme on rights of persons with disabilities" was conducted. However, there is no data on the number of attendees or the number of such sessions conducted.

Disha Divyang Suraksha Programme

The Disha Divyang Suraksha (DDS) initiative by the Visakhapatnam City Police empowers visually impaired and hearing-impaired individuals to file police complaints. Key features include Braille scripts available in police stations, allowing visually impaired individuals to easily submit complaints, which are then transcribed by experts. Additionally, visually challenged individuals can file verbal complaints via a dedicated mobile number, with audio recordings converted into formal FIRs. For those who are hearing or speech impaired, the DDS enables complaint recording in sign language, either through video or in-person, with trained experts transcribing these recordings into text.

Persons with disabilities in the police force:

Proviso 2 of Section 34(1) of the RPwD Act allows the appropriate Government to exempt government establishments from complying with the 4% reservation mandate in consideration of the type of work carried out [by the Government establishments]. The Ministry of Social Justice and Empowerment has exempted all categories of posts under the Indian Police Service ["IPS"], the Indian Railway Protection Force ["RPF"] and all categories of police posts in Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu, Dadra and Nagar Haveli by virtue of this proviso.[18]

Hence, 32 states have a mandate to comply with the 4% reservation in state police forces. There is no uniformity in the recruitment of persons with disabilities as per state police rules. RTI responses reveal that some states[19] do have disabled personnel in their force, however the unavailability of public information hinders an analysis of the positions/cadres and disabilities that are represented within it.

[18]https://cdnbbsr.s3waas.gov.in/s3e58aea67b01fa747687f038dfde066f6/uploads/2023/10/20231030140518957 8.pdf

[19]The RTI responses from the Office of the Dy. Superintendent of Police HQ Kishtwar (Jammu and Kashmir) and the 1st Bn DAP , New Police Line, Kingsway Camp (Delhi) stated that there were three and five police officers with disability in their respective forces.

Systemic attitudinal barriers obstruct the employment of individuals with disabilities within the police force. The list of posts identified as suitable for persons with benchmark disabilities by the Ministry of Social Justice[20] does not include a single police post. However, there are numerous positions within the police force that can be held by persons with specific disabilities. A petition filed in the Supreme Court challenging the exemption given to IPS, IRPF, and DANIPS has identified 650 posts within the police department, where persons with specific disabilities can be appointed.[21] Similarly, Nagaland has identified certain posts such as "Deputy Superintendent of Police," "Inspector" and "Sub-inspector" to be suitable for acid attack victims and leprosy cured persons (both recognised disabilities under the Act). These highlight the potential for inclusive hiring practices in the police force.

[20]http://www.ccdisabilities.nic.in/sites/default/files/2021-09/LIST%20OF%20IDENTIFIED%20JOBS%20%E2%80%93%202021_0_0.pdf

[21]https://www.livelaw.in/top-stories/supreme-court-seeks-details-entry-level-posts-job-profiles-ips-danips-irpfs-disabled-persons-inclusion-227822?infinitescroll=1

PRISONS

The prison system presents complex systemic issues that affect those with disabilities in more than just exclusionary ways. The prison system, by its very nature of being set up to hand out "punishments," views disability as a weakness. In prisons there is no room for weakness as prisoners need to play the game of survival. Data on disability in the prison system is hard to come by, and where available provide very little information on the conditions of prisoners with disabilities. This is owing to the prison structure, attitudes of the staff, and the lack of data collection.

Prisoners with disabilities:

The Prison Statistics of India reported 9,084 mentally ill prisoners in different jails as of December 2022.[22] This number does not provide a comprehensive account of prisoners with disabilities disaggregated on the basis of different disabilities as defined under the RPwD Act. Prisons Act, 1894,[23] Model Prison Manual, 2016, and the Model Prisons and Correctional Services Act, 2023,[24] along with Prison Rules/Manual of 22 States[25] and six Union Territories[26] have a general mandate on recording the health status of prisoners upon admission. Typically, health status includes the physical and mental status of an individual. However, the rules do not explicitly define 'health status' or provide that information about disability is to be captured under health status.

[22]https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/psiyearwise2022/1701613297PSI2022ason01122023.pdf
[23]Section 24, Prisons Act, 1894
[24]Section 21, Model Prisons and Correctional Services Act, 2023.
[25]Andhra Pradesh, Assam, Bihar, Chattisgarh, Goa, Gujarat, Haryana, Karnataka, Kerala, Madhya Pradesh, Meghalaya, Mizoram, Nagaland, Punjab, Odisha, Rajasthan, Sikkim, Telangana, Tripura, Uttarakhand, Uttar Pradesh, West Bengal
[26]Chandigarh, Delhi, Jammu & Kashmir, Ladakh, Puducherry, Daman & Diu and Dadra & Nagar Haveli

How disability is defined in prisons

At the state level, the Prison Rules/Manuals require the status of disability of prisoners to be captured in the form of health status, disability status, and status of mental illness and lunacy of the prisoner. [The Prison Manuals of Goa, Delhi and Uttarakhand have a chapter on differently-abled prisoners in their Prison Rules/Manuals] and require the Medical Officer to examine the prisoner for any disability and record the disability status of the prisoner on admission. The definition of disability within this chapter includes only four disabilities (i.e., blindness, low vision, hearing impairment, and loco-motor disability) as opposed to the 21 disabilities defined by the RPwD Act. Additionally, six states[27] and one union territory[28] have imposed a mandate to maintain records on "mentally ill/lunatic" prisoners. Such a mandate limits application to mental illness and does not capture other disabilities. Additionally, the prison system does not account for prisoners who acquire a disability after entering the prison system. Non-availability of health data on prisoners who enter the jail with a disability and those who acquire disability within the prisons limits the assessment/audit of facilities required and accommodations available for prisoners with disabilities within the prison system.

The absence of data on prisoners renders the assessment of their accessibility and support requirements difficult. Accessibility for prisoners with disabilities may be enabled in the form of prison buildings being equipped with ramps and toilets as mandated under the RPwD Act, or by providing reasonable accommodations for prisoners with accessible devices such as wheelchairs, stretchers, prosthetics, orthotics, and special beds.

Model Prison Manual[29] and Prison Rules/ Manuals of six states[30] and four union territories[31] specify that prosthetics or orthotics such as artificial limbs, glass eyes, crutches, trusses, and other prosthetic devices, shall be provided to prisoners with disabilities. Moreover, six states[32] and two union territories[33] mandate that special beds shall be provided to prisoners with disabilities.

[27]Assam, Meghalaya, Nagaland, Haryana, Odisha, Karnataka
[28]Ladakh
[29]Rule 4.07.4 (b), Model Prison Manual, 2016
[30]Goa, Mizoram, Odisha, Rajasthan, Uttarakhand. Tripura
[31]Delhi, Puducherry, Ladakh, and Daman & Diu and Dadra & Nagar Haveli
[32]Clause 8.5.1, Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021
[33]Rajasthan, Odisha, Mizoram, Uttarakhand, Karnataka, Tripura, Sikkim, Bihar, Goa, and Haryana

Facilities for prisoners with disabilities:

Medical aid in the form of human resources plays a critical role in supporting those with disabilities in prison. Unfortunately, **the prison system is short-staffed to adequately respond to the medical needs of prisoners with disabilities.** Mental health issues are commonplace with most incidents occurring due to incarceration. The NCRB maintains data on psychologists and psychiatrists within jails. However, prisoners with other types of disabilities may require additional specialised personnel or disability-sensitive staff to address their unique needs. The MHA Guidelines recommend the appointment of a designated officer for disability inclusion within prison; yet, there is no information indicating its implementation in any prison in India.

Prison programs, such as those that offer recreation and rehabilitation, form an integral part of the system response for prisoners. Eleven states[34] and five UTs[35] in their prison rules provide for some form of after-care or training programs for persons with disabilities. Two states and one UT,[36] in their prison rules, mandate market linkages post-release specifically for those with intellectual and developmental disabilities to ensure sustained livelihood opportunities. Recreation facilities within prisons provide opportunities for physical fitness and social interaction to relieve prisoners from mental health stresses.[37] Section 8.6.6. of the Accessibility Guidelines for MHA calls for prisons to provide accessible reading material for those with visual disabilities.

[34] Rajasthan, Goa, Uttarakhand, Uttar Pradesh, Telangana, Andhra Pradesh, Karnataka, Maharashtra, Kerala, Tamil Nadu, Haryana
[35] J&K, Puducherry, Ladakh, Delhi, D&D and DNH
[36] Delhi, Goa, and Uttarakhand
[37] For example: https://prisons.tn.gov.in/amenities.htm#:~:text=Recreation%20%3A,and%20badminton%2C%20tennicoit%2C%20music.

Inclusive Prison Manuals

The Prison Rules of Delhi, Goa and Uttarakhand have a separate chapter on differently abled prisoners. Besides capturing the disability status of the prisoners, the Prison Rules of these states also outline more inclusive facilities for prisoners with disabilities. For instance, although the MHA Accessibility Guidelines[38] and the Training Manual of Basic Course for Prison Officers, 2017, recommend special training sessions for staff engaged with prisoners with disabilities, as well as the presence of staff who are trained in sign language and Braille, only Delhi, Goa and Uttarakhand have adopted these into their respective rules. Over and above medical and rehabilitation facilities, Goa, Delhi, and Uttarakhand's prison rules also mandate the provision of education, sport, and recreation activities without discrimination to those with disabilities, and specifically mention accommodations within the prison libraries to be afforded to them. The prison rules for other states are either outdated or the revised versions have not accounted for disability inclusion. Modifying or overturning existing prison rules to reflect protections accorded by the Disabilities Act and MHA Guidelines is vital to ensure that the most vulnerable inside prisons are not denied basic considerations.

[38]Clause 8.5.13, Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021

JUDICIARY

Compared to other pillars, the judiciary has made significant strides in improving access to justice for persons with disabilities. In 2023, the Supreme Court published an Accessibility Report[39] outlining the challenges faced by vulnerable groups such as persons with disabilities in accessing the Court, and made suggestions to improve its physical and functional accessibility.

Individual High Courts have also taken efforts to enhance access to justice for the disabled, either independently or in response to the recommendations by the Supreme Court.

Accessibility Committees:

To enhance accessibility for litigants and lawyers with disabilities, the E-Committee of the Supreme Court published the "Standard Operating Procedure for Preparing Accessible Court Documents" ["SOP"],40 urging High Courts and District Courts to set up 'Accessibility Committees' to provide 'sustained institutional attention' to addressing accessibility barriers. The SOP recommended that Accessibility Committees publish their composition and contact details on court websites, along with quarterly data on requests for accessible filings and reasonable accommodations and the number of resolved requests. As of 30 June 2024, 17 High Courts in the country had set up Accessibility Committees.

[39]https://main.sci.gov.in/pdf/LU/06112023_140650.pdf
[40]https://cdnbbsr.s3waas.gov.in/s3ec059e740b84bb48a64dde2506156629/uploads/2024/04/2024041956.pdf

Information on Accessibility Committees in High Courts

Information on accessibility committees published on High Court websites	14 HCs	Chandigarh, Chhattisgarh, Himachal Pradesh, Jharkhand, Kerala, Madhya Pradesh, Meghalaya, Rajasthan, Sikkim, Telangana, Tripura, Uttar Pradesh, Delhi, Jammu and Kashmir
High Courts publishing details of members of the committee	12 HCs	Chandigarh, Chhattisgarh, Delhi, Himachal Pradesh, Madhya Pradesh, Meghalaya, Rajasthan, Sikkim, Telangana, Tripura, Uttar Pradesh, Jammu and Kashmir
High Courts publishing contact information of the committee	8 HCs	Chandigarh, Delhi, Himachal Pradesh, Jharkhand, Rajasthan, Telangana, Tripura, Uttar Pradesh
High Courts publishing quarterly data	1 HC	Delhi

Table b: Information on accessibility committees provided by High Courts

Litigants with disabilities:

The judiciary lacks a systematic approach to tracking facilities for persons with disabilities. While it handles a substantial number of cases involving persons with disabilities, these cases are not being documented. The National Judicial Grid tracks data on cases filed by women and senior citizens,[41] but leaves out persons with disabilities. The tracking of disability status will enable the judicial system to adequately respond to the needs of persons with disabilities approaching the system, such as provision of reasonable accommodations that they might require.

[41] https://njdg.ecourts.gov.in/hcnjdgnew/?p=main/index&state_code=9~13

Accessible courts:

Courts have an obligation to make their premises disability-friendly for its users, including litigants, lawyers and judges. Besides the mandate under the RPwD Act and Rules, Section 12 of the Act also mandates that persons with disabilities exercise their right to access courts without discrimination. The "State of the Judiciary" Report mentions that High Courts have made efforts to make the complexes disability-friendly,[42] but have not published any data on it. Isolated information on the presence of ramps in various High Courts can be traced to sources such as Judges Profiles (Manipur High Court),[43] and annual reports of the High Courts. Kerala High Court is the only High Court in the country that maintains information on the number of accessible ramps, lifts, and disability-friendly toilets on its premises.[44]

Accessibility Features Available in the Kerala High Court

Amenities to the Visually Challenged
Ramp facilities: • At the Western side near the Judge's lobby • At the Eastern side near the Staff Canteen
Special toilets for differently-abled persons (on the 8th floor, A-block)
European closet in every floor
Wheelchairs in every floor
Lift with auditory signals
Escalators to 5th floor

Table c: Accessibility features available in the Kerala High Court

While accessibility measures are for persons with disabilities as a group, reasonable accommodations ensure individual access to justice.[45] Reasonable accommodations may take the form of providing wheelchairs, sign language interpreters, or any other individual accommodation that assures equality or non-discrimination.

[42]https://main.sci.gov.in/pdf/CRP/12012024_112431.pdf
[43]https://hcmimphal.nic.in/CJ%20Profile.html
[44]The Kerala High Court website contains information on ramp facilities, disability-friendly toilets and provisions for wheelchairs
[45]General Comment on Article 9, UNCRPD

Out of the 25 High Courts in the nation, 24 (all High Courts except Andhra Pradesh High Court) have a provision, in their Video Conferencing Rules, for a sign language expert to be provided in case the person has a speech/hearing impairment. The Supreme Court Social Justice Committee Report, 2022, had stated that no court in the country has a Sign Language Interpreter.[46] Since then, there have been instances where sign language interpreters have been appointed at the Supreme Court, the Delhi High Court, and the Karnataka High Court, but there is no data on requests that have been sought. Capturing this data would help ensure that persons with disabilities receive necessary support for effective

Good Practices Pertaining to Accessibility in High Courts:

Prioritisation of cases involving persons with disabilities	High Court of Manipur High Court of Punjab and Haryana
Public information on facilities for the disabled	Kerala High Court
Accessible online form for advocates with disabilities for requesting accessibility facilities	Allahabad High Court[47]

Table d: Good practices in High Courts

[46]https://districts.ecourts.gov.in/sites/default/files/Social_Justice_Committee_Report.pdf
[47]https://www2.allahabadhighcourt.in/accessibility/

Special Courts

The RPwD Act also provides for designated special courts in every district for the purposes of providing speedy trials under the Act.48 The state government may also appoint special public prosecutors to conduct the cases in such courts.49 As per a Supreme Court order,50 the states of Arunachal Pradesh and West Bengal do not have special courts, and consequently, special public prosecutors as well. Despite the formation of special courts in 34 states/UTs, there is no data on the functioning of the courts: the number of cases filed, the category of offense committed, and the number of cases disposed of. Publishing data (like the Fast Track Special Cases dashboard for POCSO cases51) promotes accountability and enables a state wise assessment of the performance of special courts.

Judges/ judicial officers with disabilities:

The scarcity of data on persons with disabilities in the judiciary also extends to their representation in judicial posts. There is no information on High Court judges with disabilities, besides an elevation order[52] by the Supreme Court which indicates that there is at least one sitting judge with a disability (in the Gujarat High Court). The subordinate judiciary presents a different picture. The Department of Justice dashboard[53] on the working strength of the judiciary provides a state-wise breakup of specially abled judicial officers, but the numbers provided show discrepancies.[54] The break-up also does not reflect the kind of disabilities represented in the judiciary. However, as data collection and tracking are already in place, the next step must be to prioritise the accurate publication of this information.

[52]https://main.sci.gov.in/pdf/Collegium/02032023_132119.pdf
[53]https://dashboard.doj.gov.in/sanctiondata/working_strength
[54]India justice Report, 2022 https://indiajusticereport.org/files/IJR%202022_Full_Report.pdf

Nevertheless, there have been legislative and executive efforts to make the subordinate judiciary more inclusive for persons with disabilities. The central government has identified the posts of **judges and magistrates** as jobs suitable for certain categories of persons with disabilities such as those with **visual impairments, orthopaedic impairments, specific learning disabilities, and multiple disabilities** involving the other disabilities mentioned.[55] However, this excludes certain categories of benchmark disabilities for which reservation may be extended under Section 34 of the RPwD Act, such as auditory impairments, cerebral palsy, acid attack victims etc.

Judicial Services Rules of Arunachal Pradesh,[56] Goa,[57] Maharashtra, Mizoram,[58] and Sikkim does not mention any reservations for persons with disabilities. Some states provide reservations only for orthopedically challenged persons,[59] while some others provide reservations for visual and hearing disabilities along with those with locomotor disabilities.[60]

Disability sensitisation initiatives for the judiciary:

To effectively understand needs of litigants with disability, judges must undergo comprehensive training and sensitisation. In recognition of this, Section 47(1) of the RPwD Act requires the government to provide training on disability rights to judges, among other public officials. The National Judicial Academy routinely organises training sessions and workshops for High Court judges on a wide range of topics such as commercial laws, counter-terrorism laws etc; yet workshops on the RPwD Act and general disability sensitisation are glaringly absent from its calendar.[61] Imparting necessary training for judges is essential to equip them to safeguard the rights of persons with disabilities within the judicial system.

[55]Notification dated 4th January 2021 https://divyangjan.depwd.gov.in/content/upload/uploadfiles/files/224370.pdf
[56]Arunachal Pradesh Judicial Services Rules, 2006
[57]Goa Judicial Services Rules 213
[58]Mizoram Judicial Services Rules, 2006
[59]Bihar, Chhattisgarh, Gujarat, Karnataka, Madhya Pradesh
[60]Himachal Pradesh, Manipur, Orissa, Tamil Nadu, Uttar Pradesh, Puducherry
[61]https://nja.gov.in/concluded_programmes.html

LEGAL AID

Legal aid for persons with disabilities:

Persons with disabilities are one of the categories of persons entitled to free legal services under the Legal Services Authority Act, 1987.[62] Consequently, a large number of persons with disabilities approach legal aid clinics. The Act also vests NALSA with the responsibility of monitoring and evaluating the implementation of the legal aid scheme at periodic intervals.[63] **Statistical Snapshots,[64] Annual Reports[65] and quarterly reports on beneficiaries[66] published by NALSA contain the number of beneficiaries with disabilities of the legal aid scheme. Further, some State Legal Services Authorities, including Delhi,[67] and Rajasthan[68] also maintain similar data on their websites. The data for 2022 shows that 9,804 persons with disabilities approached the legal aid system in 2022.**

However, the absence of consolidated data on other aspects of the legal aid system impedes the assessment of whether it is sufficiently equipped to handle the large volume of individuals with disabilities seeking legal aid.

For instance, it is unclear whether legal aid clinics and DLSA offices are equipped with accessibility features such as ramps, lifts, disability-friendly toilets, and reasonable accommodations such as sign language interpreters.
Under Section 10(6) of the National Legal Services Authority (Legal Services Clinics) Regulations, 2011, the PLVs are mandated to conduct awareness camps for the beneficiaries under the Legal Services Authorities Act, 1987. Further, the NALSA (Legal Services to Persons with Mental Illness and Persons with Intellectual Disabilities) Scheme, 2015[69] and the Legal Services for Differently Abled Child Scheme, 2021,[70] also contain provisions for spreading awareness about the schemes to the beneficiaries. Some SLSAs, such as Chhattisgarh, publish data on the number of beneficiaries with disabilities of its outreach programmes.[71] A state-wise breakdown of beneficiaries along the

[62]Section 12, The Legal Services Authorities Act, 1987
[63]Section 4(i), The Legal Services Authorities Act, 1987
[64]https://nalsa.gov.in/library/statistical-snapshot
[65]https://nalsa.gov.in/library/annual-reports
[66]https://nalsa.gov.in/statistics/legal-service-beneficiaries-report/legal-service-beneficiaries-april-2024-to-june-2024
[67]https://dslsa.org/statistics/
[68]https://rlsa.gov.in/legal-aid.html
[69]https://nalsa.gov.in/acts-rules/preventive-strategic-legal-services-schemes/nalsa-legal-services-to-the-mentally-ill-and-mentally-disabled-persons-scheme-2015
[70]https://nalsa.gov.in/acts-rules/preventive-strategic-legal-services-schemes/legal-services-for-differently-abled-children-scheme-2021

lines of Chhattisgarh would significantly enhance ability to assess the impact of these initiatives and identify areas for improvement.

Disability sensitisation for legal aid functionaries:

Training programmes for PLVs, panelled lawyers, and staff regarding PwDs are also crucial for fair and sensitive treatment of those with disabilities. The National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010, and the National Legal Services Authority (Legal Services Clinic) Regulations, 2011, mandate general training for lawyers and PLVs, but they lack specific requirements for disability-focused training. Nearly a decade after the enactment of the RPwD Act, the Supreme Court Accessibility Report has also underscored the need for regular training for legal services committee staff to effectively address and support the needs of persons with disabilities. Given that the PLVs and lawyers serve a significant number of beneficiaries with disabilities, it is vital to develop their awareness and sensitivity to the specific needs of this population.

CONCLUSION

We hope that this report that highlights the systemic lack of data across the justice system vis-a-vis persons with disabilities, and implementation of measures of inclusion despite mandates for disability inclusion urges the case for better data collection and public reporting of such data. Public reporting of disability disaggregated data across the judiciary, police, prisons, and legal systems on dimensions of infrastructural accessibility, representation by participation, reasonable accommodations, and awareness building will help to baseline access to justice for persons with disabilities and evolve metrics to measure progress in the future. We hope and expect that forthcoming revised Rules to the RPwD Act formulated in response to the Rajive Raturi v. Union of India judgement heralds a new era towards making the justice system accessible for persons with disabilities.

[71]https://cgslsa.gov.in/Statistical_Information/CGSLSA%20May-2024%20MONTHLY%20ACTIVITY%20REPORT.pdf

1. Introduction: Access to Justice and Disability

Access to justice is defined as the ability of people to seek and obtain a remedy (for grievances) through formal or informal institutions of justice in compliance with human rights standards. Access to justice is said to be lacking where citizens (especially marginalised groups) fear the system, see it as alien and do not access it. **People with disabilities often face barriers to accessing justice, such as inaccessible facilities, lack of access to information and communication, and inaccessible judicial processes.**

Access to justice for persons with disabilities in India is recognised under the Rights of Persons with Disabilities Act, 2016 (RPwD Act) that mandates the provision of accessible physical and digital infrastructure (including accessible documents, court hearing facilities, filing systems, and file referral/ retrieval processes), reservation in employment, and disability training and sensitisation of the staff at different levels of the justice system.[72]

The RPwD Act is aligned with the Principles of the United Nations Convention on Rights of Persons with Disabilities (UNCRPD), and aims to promote equal rights and opportunities for those with disabilities. In other laws, such as **the Legal Services Authorities Act, 1987, access to justice for persons with disabilities is guaranteed through the provision of free legal services.** Thus, definitive mandates have been designed to ensure an inclusive and accessible justice system (including the judiciary, legal aid, police, and prisons) for persons with disabilities in India.

[72]Section 12, RPwD Act 2016, Section 34, 40, and 47, RPwD Act 2016

Accessibility of and thereby, inclusion in the justice system for persons with disabilities is guaranteed through the provision of:

- **Accessible physical and digital infrastructures of the justice system**
- **Employment opportunities for persons with disabilities in the justice system**
- **Coordinated justice system responses for the inclusion of persons with disabilities**

Positive measures automatically translate into greater and positive justice seeking behaviours by those with disabilities. However, nearly a decade since the RPwD Act, these mandates remain in letter, and the justice system in India remains broadly inaccessible to persons with disabilities and implementation remains unclear.

There is paucity of data at the intersection of access to justice and persons with disabilities. In fact **generally speaking, data on persons with disabilities is sparse and unreliable.** The Census of India (last conducted in 2011) estimated that approximately 2.2% of the population, equivalent to 26.8 million people, live with disabilities. However, it is widely acknowledged that this figure is likely an undercount, as various other data sources suggest that the actual prevalence of disability in India may be significantly higher, ranging from 5% to 8%.[73]

A lack of reliable and comprehensive data pertaining to people with disabilities in India hinders our ability to accurately track their welfare, their uptake of entitlements and their rights to equitable opportunities. Currently data on access to justice for people with disabilities suffers from various shortcomings, such as:

- Systemic problems in justice delivery imply that justice systems are inaccessible and not inclusive for persons with disabilities
- Data on persons with disabilities in the justice system is not mandated to be collected and reported
- Where collected
    - Data is disparate - not consistent, credible, uniform, standardised
    - Data is not disaggregated by disability
    - Data is not publically available

[73]https://documents1.worldbank.org/curated/en/577801468259486686/pdf/502090WP0Peopl1Box0342042B01PUBLIC1.pdf

Urgent need for a comprehensive evidence-based research study on access to justice for persons with disabilities:

Data is needed to ensure that the unique needs of persons with disabilities are effectively met.[74] Research on data gaps pertaining to people with disabilities has indicated that these gaps can be covered only when disability is a cross-cutting element in data collection exercises. A Supreme Court directive in Rajive Raturi v Union of India & Ors.[75] designated the Centre for Disability Studies (CDS), NALSAR, to examine the status of accessibility rights of persons with disabilities in India, in November 2023. CDS, accordingly, conducted an extensive (though not exhaustive) audit of the justice system.[76] The key data findings from the Centre for Disability Studies report pertaining to the justice systems are summarised below:

Status of Inclusion and Accessibility of Persons with Disabilities in India's Justice System

Accessibility in Courts **(Responses received from 30 High Courts)**	
Tactile guiding strips	2 Courts
Interpreters for the hearing impaired	2 Courts
Awareness of the needs of persons with intellectual and developmental disabilities	6.6%
Accessibility in Prisons	
As per the current prison population, 1,146 psychologists/ psychiatrists should be available.	69 posts sanctioned 25 posts filled

Figure 1.1: Status of inclusion and accessibility of persons with disabilities in India's justice system

[74]https://www.pacta.in/research-reports/early-analysis-of-disability-data-gaps
[75]2024 INSC 858 https://api.sci.gov.in/supremecourt/2005/9321/9321_2005_1_1503_56986_Judgement_08-Nov-2024.pdf
[76]https://drive.google.com/file/d/1RUMFi80vinh95H3QY5gWUy6V0CHp-CGA/view

2. Structure of the Report

The report analyses the access to justice along the **four pillars**

- Police
- Judiciary
- Prisons
- Legal Aid

Based on these pillars, four indicators were identified:

- Users of the system: Persons with disabilities as justice seekers
- Human resources: Persons with disabilities as justice providers
- Accessible infrastructure: Physical and digital accessibility and inclusion
- System response: Disability aware and disability responsive

Taking these as the main indicators, sub-indicators were identified based on secondary literature review, and analysed. The indicators and respective sub-indicators for each pillar is structured as given below.

	PRISONS	POLICE
USERS OF THE SYSTEM	• Prisoners with disabilities in state prisons	• Persons with disabilities who have accessed the police system • Crimes committed against persons with disabilities • Cases registered against persons with disabilities • Cases registered under Section 92 of the RPwD Act
HUMAN RESOURCES	• Prison Staff with Disabilities in State Prisons	• Officers in the police force who are persons with disabilities
ACCESSIBLE INFRASTRUCTURE	• Disability ramps in state prisons • Accessible toilets for prisoners or prison staff with disability • Prisoners or prison staff using prosthetics or orthotics • Assistive devices within prisons • Vehicles with accessible features for prisoners with disabilities • Computers or devices with digital infrastructure that enable accessibility • Other reasonable accommodations within prisons	• Ramps and lifts in police stations • Accessible Toilets in Police Stations • Vehicles with accessible features for persons with disabilities in interaction with the police station • Any other reasonable accommodation facilities for persons with disabilities by the police
SYSTEM RESPONSE	• Interpreters/translators/support staff • Sensitisation Programs • Specialised Medical Staff • Specialised Rehabilitation Programs • Accessible Recreational Facilities	• Annual training/sensitisation/ awareness programs for police officers regarding persons with disabilities

Figure 2.1: Indicators and sub-indicators for the Police and Prison systems

JUDICIARY	LEGAL AID	
• Litigants in High Courts who are persons with disabilities	• Persons with disabilities who have been beneficiaries of legal aid	USERS OF THE SYSTEM
• High Court Judges with Disabilities • Subordinate Court Judges with Disabilities	• Persons with disabilities who are employed at the offices of the NALSA, any of the SLSA or DLSAs • Persons with Disabilities who are empanelled as PLVs and Panel Lawyers	HUMAN RESOURCES
• Ramps and Lifts in High Court Premises • Disability-friendly toilets in High Court Premises • Accessible car parking in High Court complex • Electronic devices that enable accessibility in the HC • Any other reasonable accommodations provided for persons with disabilities in High Courts	• Data on ramps, lifts and toilets in front offices and legal aid clinics • Data on other reasonable accommodations provided for persons with disabilities	ACCESSIBLE INFRASTRUCTURE
• Annual training/sensitisation/ awareness programs for HC judges regarding persons with disabilities • Sign Language Interpreters in the HC	• Data on Number of annual sensitisation or awareness programmes for persons with disabilities • Data on annual training programmes for lawyers and PLVs regarding persons with disabilities	SYSTEM RESPONSE

Figure 2.2: Indicators and sub-indicators for the Judiciaru and Legal Aid systems

3. Research Methodology

This research study employs primary and secondary research methods to analyse the inclusion of disability and the capacity of the Indian justice system to deliver justice across the four pillars of the justice system: the police, the judiciary, the prison system, and legal aid. This is done specifically by examining each pillar along the common indicators and specific sub-indicators against each pillar (See Figures 2.1 and 2.2 in the previous chapter).

Secondary research helped inform the main body of the work, while primary research through in-depth interviews provided a holistic understanding of the challenges of the system in providing justice and upholding the rights of persons with disabilities. To validate the availability of secondary data or the lack of it, RTI applications were filed to different departments across states and union territories (UTs).

The review of mandates and data for the report was conducted over a period of four months- from February to June 2024. Secondary literature review on judicial pronouncements covers the period up to March 2025. Right to Information applications were also filed during one month in 2024 to applicable public information officers across all the four pillars.

The research methods employed are detailed below:

a. **Secondary Desk Research**: Our findings were informed through secondary desk research on mandates for inclusion, mandates for data and availability of data on persons with disabilities within the prison system. These aspects were analysed using the following framework.

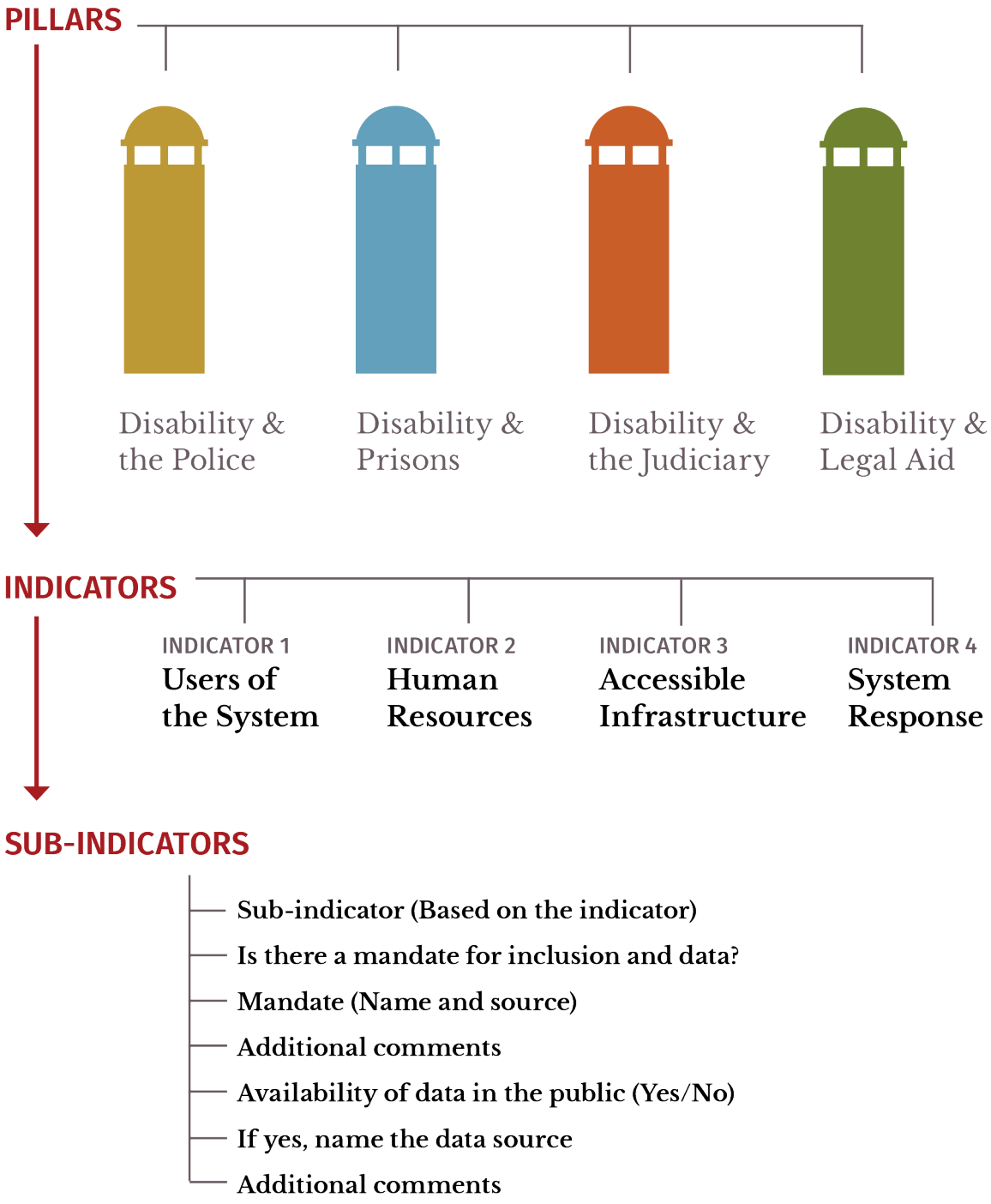


Figure 3.1: The framework of analysis

The framework includes the four indicators- human resources, accessible infrastructure, users of the system, and system response. Each indicator entails one or more sub-indicators. The sub-indicators chosen for each pillar of the justice system (prisons, police system, judiciary and legal aid system) is detailed in the respective chapters. All states and union territories of India were included in the analysis.

What is considered as a mandate of inclusion and mandate of data?

- **A mandate must be legally enforceable.**
- **Central Acts and Rules: The Rights of Persons with Disabilities (RPwD) Act, 2016[77], along with its Rules[78]**
- **State Acts and Rules: That are pertinent to the relevant pillar across the four identified indicators and include a clause on protecting the rights of persons with disabilities**

****Acts and Rules were considered where they mandate affirmative action of persons with disabilities in employment opportunities, provision of reasonable accommodations, and/or systematically address the needs of the person with disability by appointment of relevant personnel. Further, any Act or Rule that mandates data collection/recording/reporting on the above criteria was included.**

[77]https://cdnbbsr.s3waas.gov.in/s3e58aea67b01fa747687f038dfde066f6/uploads/2023/10/20231016105395894 2.pdf
[78]RPwD Act, 2016, prevailed when there were no State exemptions for persons with disabilities. For example, unless the 4% reservation for persons with disabilities is exempt for a certain post, the RPwD Act 2016 Section 34 applied.

b. **Filing of RTIs*:** RTIs were filed to the appropriate ministries and departments to enquire about the availability of data relating to persons with disabilities across the four pillars of India's justice system. The questions are documented in **Annexures 1A, 2A, 3A and 4A: RTI Questions (for each pillar). A profile of RTI responses received is provided in Annexures 1B, 2B, and 4B: RTI Responses.**

RTIs were filed to the appropriate ministries and departments to enquire about the availability of data relating to persons with disabilities across the four pillars of India's justice system. The questions are documented in Annexures 1A, 2A, 3A and 4A: RTI Questions (for each pillar). A profile of RTI responses received is provided in Annexures 1B, 2B, 3B and 4B: RTI Responses.

c. **Qualitative interviews:** We conducted in **depth interviews** with experts per pillar of the justice system.

The experts were asked about how disability featured within the pillars of the justice system, perceptions of the system and attitudes towards disability, the state's readiness to cater to persons with disabilities within the system across the four identified categories, current practices for data collection on persons with disabilities and system data reporting mechanisms to the state. Experts were also probed on attitudes of the system to data and opportunities for better data collection on persons with disabilities. Most interviews were conducted online and took between 45-60 mins. All interviews were recorded and extracts to support findings were taken.

* Right to Information applications filed under the Right to Information Act, 2005

LIMITATIONS OF THE STUDY

The primary aim of this study was to review and analyze data gaps related to access to justice for persons with disabilities. Ironically, the very gaps the study sought to examine emerged as a significant limitation in conducting a comprehensive analysis. Despite sustained efforts to gather relevant information through official reports, RTI requests, and publicly available records, the absence of comprehensive, accurate, and consistent data severely hindered the depth of this review.

1. **Non-availability of Mandates:** A major limitation was the inaccessibility of several state level mandates. Notably, many state-specific prison manuals and police service rules were not publicly available. As a result, the analysis does not uniformly cover all state prison and police frameworks.

2. **Challenges with RTI Responses:** RTIs were filed with the objective of verifying and supplementing data available online. However, the RTI process itself posed considerable challenges. RTIs were filed with multiple departments across all states, yet we did not receive responses for a significant number of RTIs filed. Some applications were redirected to different departments without follow-up, while others were never acknowledged. In several cases, such as those involving High Courts, individual RTIs had to be filed for each specific query, creating procedural delays. Even when responses were received, they were inconsistent: some came from individual DLSAs, police stations, or prisons, rather than from centralized authorities. Additionally, many responses were incomplete, unintelligible, or entirely blank, leading us to qualify a significant number of them invalid for the purposes of our analysis.

3. **Limited number of practitioners:** Interviews and consultations conducted during the study revealed a limited number of practitioners with a deep understanding of disability within the justice system. Few experts had comprehensive insights across all the pillars. The Research team's resource limitations did not allow for more extensive consultations, in-person observations or visitations.

4. **Developments During the Study Period:** The research spanned over a year, during which there were notable developments across the four pillars. These included the death of Professor G.N. Saibaba, which spurred increased discourse and academic writing on disability rights; significant judicial developments such as Rajiv Raturi v. Union of India; and the incorporation of the Ministry of Home Affairs (MHA) Guidelines under Rule 15 of the Rights of Persons with Disabilities (RPwD) Rules. While this study has attempted to acknowledge critical inflection points, it does not offer a comprehensive literature review on access to justice for persons with disabilities. The focus remains specifically on identifying and analyzing data gaps.

4. Disability & the Police



4.1 Introduction

DATA FOR POLICY: PROGRESS AND PITFALLS

Data-driven policy making has revolutionised decision-making across sectors, offering precision, adaptability and inclusivity by leveraging empirical evidence. This approach has gained prominence in public governance, with advancements in data science, enabling policy makers to address complex social issues effectively.[79] Policing has been no exception for data-driven policy making. As early as the 1990s, the New York City Police Department introduced CompStat, a data-driven performance measurement system.[80] The then police commissioner Bill Bratton described CompStat as, "a system to track crime statistics and have police respond to those statistics".[81] The introduction of CompStat led to significant changes in the organisational structure of the New York Police, and has been credited as the reason the city saw a significant drop in crime.[82]

"One should look at the state of infrastructure. The same applies to ramps also. If things are falling apart elsewhere, this would happen with ramps as well."

~An IPS Officer

Policies that governments make are defined as much by the data that is collected as it is by the data that is not. Marginalised communities often find themselves partially or fully excluded from the data that forms the base of various decisions. Such exclusion from databases exacerbates existing inequalities and hinders the development of inclusive policies.

[79] The Promise of Data-Driven Policymaking
[80] PERF-Compstat.pdf
[81] PERF-Compstat.pdf
[82] PERF-Compstat.pdf

PERSONS WITH DISABILITIES AND LACK OF DATA IN THE POLICE SYSTEM

In the case of the 26.8 million persons with disabilities in India, data gaps are particularly concerning.[83] While minority groups may often face social or structural barriers in accessing justice, persons with disabilities additionally face physical barriers such as inaccessible police stations, courtrooms and prisons.[84] Persons with disabilities come in contact with the police as victims, offenders or witnesses to criminal acts, or even for routine activities such as police verification for the purpose of issue of passports.

However, systematic and disability disaggregated data on police interactions is woefully inadequate. The National Crime Records Bureau (NCRB) does not maintain disaggregated data for persons with disabilities involved with the criminal justice system, either as victims or the accused.[85]

[83] iProbono
[84] Disability Compilation
[85] Disability Compilation

PERSONS WITH DISABILITIES AND THE POLICE: AN OVERVIEW OF SOME RELEVANT CASES

1. *Kunal Singh v. Union of India and Ors*

Supreme Court of India; AIR 2003 SC 1623

Issue: The appellant was recruited as a Constable in the Special Service Bureau (now the Sahastra Seema Bal), and later suffered an injury in his leg leading to amputation. He was then invalidated from service on the basis of the report of a Medical Board. He filed a writ petition with the High Court arguing that he could have been assigned alternative duty, but it was dismissed.

Ruling: The Supreme Court ruled that Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (hereinafter "PwD Act") deals squarely with an employee who acquires a disability during his service. Such an employee should be mandatorily protected, and as the Act is a special legislation, it would not be overridden by the Central Civil Service (Pension) Rules, under which the appellant was given invalidity pension. Under Sec. 47, the appellant should have been shifted to some other post with the same benefits, and if that was not possible, he should have been kept on supernumerary post until a suitable post was available or he attained the age of superannuation. The respondents made no such efforts in this case.

Impact: The Supreme Court emphasised on the special beneficial nature of the PwD Act, while also providing the protections provided under Section 47 of the PwD Act to the Appellant.

2. *E Natarajan v State of Tamil Nadu and Ors.*

Madras High Court; (2006) 2 MLJ 165

Issue: The petitioner, who sustained injuries leading to a disability due to no fault of his own, was medically invalidated. His request for alternative employment was also ignored. He then filed a petition challenging his invalidation order, claiming it was retrospective and violated Tamil Nadu Pension Rules. The central issue revolves around the applicability of disability rights in employment, specifically referencing Section 47 of the 1995 Disabilities Act, which protects employees with disabilities' positions and promotions.

Ruling: The Madras High Court found the medical invalidation order to be erroneous, violating Rule 36 of the Tamil Nadu Pension Rules and Section 47 of the PwD Act, 1995. The Court emphasised the Act's welfare purpose and directed the employer to reinstate the petitioner in the same or a suitable post, or a supernumerary post, with full benefits until retirement.

Impact: The judgement establishes that retirement, denial of promotion, or discharge solely on the basis of disability is impermissible, unless the employee is found to be completely unfit for any position. It encourages administrative authorities to adopt a rehabilitative and rights-based approach toward employees with disabilities, ensuring meaningful implementation of disability rights legislation.

3. *Union of India v. Dileep Kumar Singh*

Supreme Court of India; AIR 2015 SC 1420

Issue: The respondent, a CRPF Assistant Commandant, was injured on duty and declared 100% permanently disabled. He challenged a show cause notice for discharge, and was later relieved from service and given an invalidation pension. He filed a writ petition, questioning the legality of his discharge and the pension granted. The Allahabad High Court held that under Sec 47 of the PwD Act the Respondent must be allowed to continue in service, and the exemption provision only applies to promotion.

Ruling: The Supreme Court upheld the CRPF's decision to discharge a permanently incapacitated officer, citing a valid exemption. It rejected discrimination claims, noting operational demands and past retention of other disabled officers. The reinstatement order was overturned, and the officer was asked to vacate housing without penalties.

Impact: The judgement underscored a case-by-case approach taken towards retention, considering both individual capability and organisational necessity.

4. *Shyamkumar v. Union of India and Ors*

High Court of Bombay; 2023 (4) Bom CR 797

Issue: The petitioner was diagnosed with Schizoaffective Psychosis, and was boarded out on the grounds that he had 80% mental disability. However, he later challenged the order before the High Court at Guwahati, who reinstated his service. Later, the petitioner was not given promotion on the basis of a report of the Medical Board. The petitioner challenged the same, arguing that he is protected by Sec. 47 of the PwD Act and that denial of promotion is violative of Sec. 20 of the RPwD Act.

Ruling: The Bombay High Court dismissed the petition, ruling that the mandate under Sec. 47 is that promotion should not be denied solely due to a person's disability. The Court held that in this instance, promotion was denied to ensure that medical eligibility conditions are satisfied, and if due to a disability an employee is unable to meet the benchmark, it cannot be said that the employee was discriminated against.

Impact: The judgement reaffirms that operational and safety requirements in armed/paramilitary forces can override the protective provisions of the disability statutes in the context of promotions. It distinguishes between discriminatory denial of promotion and ineligibility based on valid service conditions, establishing that not every denial attracts the protective mechanism under disability laws.
position. It encourages administrative authorities to adopt a rehabilitative and rights-based approach toward employees with disabilities, ensuring meaningful implementation of disability rights legislation.

5. *Ravinder Kumar Dhariwal v Union of India*

Supreme Court of India; (2023) 2 SCC 209

Issue: The appellant had been diagnosed with OCD and severe depression, and was classified as a person with 40-70% severe disability. He faced disciplinary proceedings after allegations of threatening behaviour despite CRPF's policy for non-operational personnel.

Courts Action: Supreme Court held that mental disabilities are recognised under the RPwD Act, and employers must provide reasonable accommodations. Disciplinary proceedings must comply with the RPwD Act, 2016, and the Court set aside the first proceeding.

Impact: The judgement affirms that mental health conditions are psychosocial disabilities and acknowledges the invisibilisation and stigma surrounding them, in line with international conventions like the CRPD. It strengthens the legal position of employees with mental health disorders, reinforcing their right to reasonable accommodation and protection from workplace discrimination.

Mistreatment of Persons with Disabilities by the police has been a globally recognised problem, with reports finding that the justice system enables violence, abuse, exploitation and neglect.[86] Although **India has ratified the United Nations Convention on Rights of Persons with Disability and enacted the Rights of Persons with Disabilities Act, 2016, anecdotal narratives highlights that PwDs are still falsely implicated in crimes,[87] denied assistive devices necessary for access[88] and face violence.[89]**

BRINGING CHANGE: MAKING THE POLICE SYSTEM DISABILITY INCLUSIVE

There is a pressing need to sensitise members of the police force in order to improve their interactions with PwDs. Research has shown that victimisation is closely linked to survival strategies often misclassified as criminal behaviour. Studies on criminalised women highlight that many actions deemed offenses are actually responses to systemic harm. To ensure justice for people with disabilities in the legal system, the dichotomisation between victim and offender must be reconsidered.[90] Many PwDs who come in contact with the police are likely to be victims of trauma, and police officers need to be trained and sensitised to ensure that their interactions are respectful of the rights of PwDs and to not exacerbate their trauma.

Globally, best practices demonstrate how data can bridge this gap. For instance, **specialised training for police officers on disability awareness and crisis intervention has shown statistically significant improvements in their confidence in interacting with PwDs.[91]** By addressing the data void surrounding PwDs' interactions with the police, India can advance disability rights and foster a more inclusive society. A robust framework for collecting and analysing this data is not merely an administrative necessity but a moral imperative to uphold justice and equality for all citizens. This imperative requires not only the development of sophisticated data collection systems but also a cultural shift within law enforcement agencies to prioritise empathy, understanding and support for marginalised communities. Ultimately, the integration of data-driven insights into policing practices can help ensure that the rights of PwDs are respected and protected, aligning with India's commitments under international human rights frameworks.

[76]Research Report - Police responses to people with disability
[87]Disabled man wrongfully accused of a high-speed escape. Court makes cops pay | Chandigarh News - The Indian Express
[88]Disabled accused made to crawl to fifth-floor court | Delhi News - Times of India
[89]Police assaulting person with disability captured in viral video; Minister demands report in Karnataka;NHRC notice to UP over alleged
[90]Research Report - Police responses to people with disability
[91]The evaluation of a training course to enhance intellectual disability awareness amongst law enforcement officers: a pilot study - PubMed

INTERNATIONAL PRINCIPLES AND GUIDELINES

The United Nations Division for Inclusive Social Development Guidelines for Inclusive Quality Police Services for Persons with Disability

The guidelines for Inclusive Quality Police Services for Persons with Disability,[92] released in 2021, provides the standards to which the police force must conform to ensure compliance with the ideals of the UN CRPD. The guidelines are released on behalf of the Special Envoy of the United Nations Secretary General on Disability and Accessibility aimed to improve the training process of persons working in the administration of justice, including police. The guidelines focus on 10 areas of action to improve access to police services for persons with disabilities, and to protect the rights of those in the field. The guidelines provided are given below in Table 4.1.

Guidelines for Inclusive Police Services for Persons with Disabilities

Sr. No.	Guidelines	Description
1.	Awareness Raising	Raising awareness about persons with disabilities in society and promoting respect for their rights and dignity. Ensuring environments are universal access, and take appropriate measures for reasonable accommodations
2.	Access to Information and Communication	Promote and facilitate the use of communication systems that are accessible for persons with disabilities, like sign language and braille. Eliminate infantilisation of persons with disabilities.

[92]Guidelines-EN-Final.pdf

Sr. No.	Guidelines	Description
3.	Free access to police premises	Ensure police premises consider all aspects of accessibility. Protect the dignity of a person with disability while they navigate the environment.
4.	Interaction between persons with disabilities and police officers in the city or other human settlements.	Acknowledge the diversity of persons with disabilities by ensuring that police officers are aware of, promote, and protect their full enjoyment of human rights and fundamental freedoms, while developing strategies that adapt to and accommodate this diversity.
5.	Crisis situations of persons with disability	Promote and develop knowledge of different types of disabilities, and guarantee human rights and fundamental freedoms of persons with disabilities in crisis.
6.	Emergency situations	Adopt measures to protect persons with disabilities in emergency situations like natural disasters. Have flexibility with the requirements of a state of emergency in view of specific conditions/needs of persons with disabilities.
7.	Law enforcement situations	Promote awareness amongst police officers that persons with disabilities may be part of law enforcement situations or public demonstrations, and it remains the duty of police officers to protect the mental and physical integrity of such persons. All deprivations of liberty based on disability must be eliminated.

Sr. No.	Guidelines	Description
8.	Crimes	When persons with disabilities are victims of crimes, all measures to protect their mental and physical integrity must be taken. Officers must actively listen to the victims and safeguard their free and informed consent. In situations where persons with disability are alleged to have committed a crime, their dignity must be respected and their disability must not form the basis of any prejudicial actions.
9.	Border Patrol Services	Persons with disability crossing borders must have the right to do so at par with others, considering the use of technical aids without exclusion.
10.	Educational Role of the Police within the Institution and towards the Community	The human rights approach towards protecting persons with disabilities must be incorporated into the organisational structure. Undertake community engagements with persons with disabilities, their representative organisations, as well as within the broader community.

Table 4.1: Guidelines for Inclusive Quality Police Service for Persons with Disability

International Principles and Guidelines on Access to Justice for Persons with Disabilities:

Following an expert group meeting conducted by the Special Rapporteur on the rights of persons with disabilities with the Office of the United Nations High Commissioner for Human Rights, a study was commissioned to identify principles and strategies that can ensure effective access to justice for persons with disabilities.[93] The International Principles and Guidelines on Access to Justice for Persons with Disabilities, released in 2020, were a result of these efforts, and were co-created with the assistance of the Committee on the Rights of Persons with Disabilities and the Special Envoy of the Secretary-General on Disability and Accessibility, along with different organisations for persons with disabilities. Table 4.2 highlights some of the Principles that shall have an impact on how police activities impact persons with disabilities.

Excerpts from International Principles and Guidelines on Access to Justice for Persons with Disabilities

Principle 2	Facilities and services must be universally accessible to ensure equal access to justice without discrimination of persons with disabilities.
Principle 3	Persons with disabilities, including children with disabilities, have the right to appropriate
Principle 5	Persons with disabilities are entitled to all substantive and procedural safeguards recognised in international law on an equal basis with others, and States must provide the necessary accommodations to guarantee due process.
Principle 7	Persons with disabilities have the right to participate in the administration of justice on an equal basis with others.
Principle 8	Persons with disabilities have the rights to report complaints and initiate legal proceedings concerning human rights violations and crimes, have their complaints investigated and be afforded effective remedies.
Principle 9	Effective and robust monitoring mechanisms play a critical role in supporting access to justice for persons with disabilities.
Principle 10	All those working in the justice system must be provided with awareness-raising and training programmes addressing the rights of persons with disabilities, in particular in the context of access to justice.

Table 4.2: Excerpts from international principles and guidelines on access to justice for persons with disabilities

[93]International Principles and Guidelines on Access to Justice for Persons with Disabilities

4.2 Methodology

We employed primary and secondary research methods to understand the availability of data in the access to justice sphere for persons with disabilities.

Secondary research helped inform the main body of the work, while primary research through in-depth interviews provided a holistic understanding of the challenges of the system in providing justice and upholding the rights of persons with disabilities. To validate the availability or unavailability of data based on secondary desk research, RTIs were filed across states. Details of each of the methods used are given below.

A. SECONDARY DESK RESEARCH

Our findings were informed through secondary desk research on mandates for inclusion, mandates for data and availability of data on persons with disabilities interacting with the police system. These aspects were analysed using a framework (as described in **Figure 4.1**).

The Framework of Analysis :

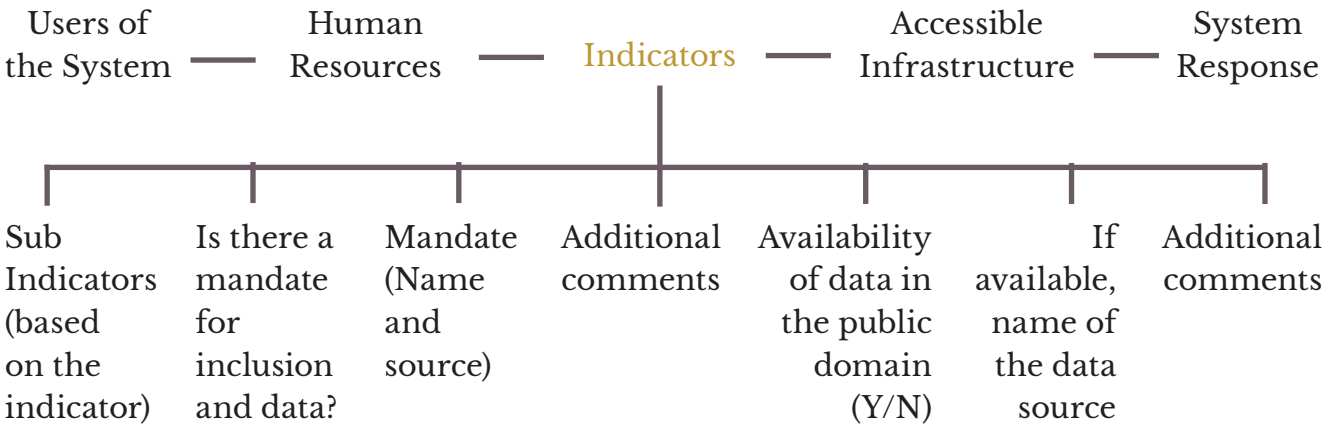


Figure 4.1: The Framework of analysis

The framework included four categories of indicators namely, human resources, accessible infrastructure, users of the system, and system response. Each indicator has one or more sub-indicators. The number of sub-indicators chosen for the police system per category is given in **Table 4.3**. All states and union territories of India were included in the analysis.

What do we consider as mandates?

A mandate must be legally enforceable.

- Central Acts and Rules: The Rights of Persons with Disabilities (RPwD) Act, 2016[94] along with its Rules.[95]
- State Acts and Rules: Pertinent to the relevant indicator or sub-indicator and includes a clause on protecting the rights of persons with disabilities

**Acts and Rules were considered when they mandated affirmative action for PwDs in employment opportunities, through the provision of reasonable accommodations, and/or systematically addressing the needs of the person with disabilities by appointment of relevant personnel. Furthermore, any Act or Rule that mandated data collection/recording of the above criteria was included.

Mandates Considered Under Police

Both police and public order are state subjects under the Seventh Schedule of the Constitution. Aspects such as police recruitment (except for IPS officers) are hence regulated by state-specific legislation, often with different Rules for different ranks of officers.

What we considered as available data pertaining to persons with disabilities in the police system

Data against these mandates must be:

- published by the government (i.e., a government source or state data)
- publicly available
- systematically reported under a consistent data point
- published post-2016 (i.e., within the last seven years of the enactment of the RPwD Act, 2016)

[94]Rights of Persons with Disabilities Act, 2016 (hereinafter "RPwD Act, 2016")
[95]RPwD Act, 2016 prevailed when there were no State exemptions for persons with disabilities. For example, unless the 4% reservation for persons with disabilities is exempt for a certain post, the RPwD Act 2016 Section 34 applied.

Indicators and Sub-Indicators for Analysis of Disability Inclusion in the Police System

Indicators	No. of Sub-Indicators	Sub-Indicator
Human Resources	1	1. Officers in the police force who are persons with disabilities.
Accessible Infrastructure	4	1. Ramps and lifts in police stations 2. Accessible toilets in police stations 3. Vehicles with accessible features for persons with disabilities in interaction with the police station 4. Any other reasonable accommodation facilities for persons with disabilities by the police.
Users of the System	4	1. Persons with disabilities who have accessed the system. 2. Crimes committed against persons with disabilities. 3. Cases registered against persons with disabilities. 4. Cases registered under Sec. 92 of the RPwD Act.
System Response	1	1. Annual training/sensitisation/awareness programs for police officers regarding PwDs.

Total sub-indicators considered for Police: 10

Table 4.3: Indicators and sub-indicators for analysis of disability inclusion in the police system

The review was conducted over a period of four months, from February 2024 to June 2024. Secondary literature review on judicial pronouncements was completed in March 2025. Mandate and data availability for every state and UT was mapped per sub-indicator in each indicator. Where mandates were unavailable, guidelines and other directives were noted under additional comments. Additionally, data that did not meet the defined criteria, such as one-off data points, anecdotal references, data in annual reports, judgements, court orders and parliamentary answers were noted. The exercise was done on Microsoft Excel and data was compiled manually against the framework to draw broad conclusions.

B. FILING OF RTIS

We filed RTIs with the Public Information Officers (PIOs) of all State and Union Territory Police departments in order to assess the availability of data relating to persons with disabilities across India's police system. The eight questions asked in the RTIs focused on the key indicators we identified, including persons with disabilities interacting with the police, representation as staff, accessibility measures put in place, and systemic responses made to better protect the rights of persons with disabilities. The questions and responses are documented under Annexure 1A (RTI Questions) and Annexure 1B (RTI Responses) respectively. Specific insights that we received from the responses are embedded under the relevant sub-indicator.

We received a total of 161 responses to the RTIs filed from various police stations. However, not all of these were answers to the questions asked. Many responses were regarding the transfer of the applications to other departments/police stations. Further, procedural issues also led to a denial of response. For instance, the Haryana Police department stated that as the questions put forth would fall under the jurisdiction of different SPIOs, applications would have to be made to each individual SPIO.

Further, the Odisha Police department sought the applicant's identification for filing the application. This meant that out of the total 161 responses we received, only those that provided a specific response to a question have been considered for the relevant sub-indicator.

Broadly, the responses received to the RTI queries highlighted the lack of systematised data collection, with authorities often lacking the requisite data. This led to multiple transfers of the queries and decentralised responses. However, despite the challenges, the RTIs provided valuable data, highlighting good practices and systemic gaps.

C. QUALITATIVE INTERVIEWS

We conducted two in-depth interviews with IPS officers to understand police responses to persons with disabilities. We asked about how disability featured within the police system, perceptions of the system and attitude towards disability, the state's readiness to cater to persons with disabilities within the system across the four identified categories, current practices of data collection on persons with disabilities and system data reporting mechanisms to the state. The officers were also probed on attitudes of the systems to data and opportunities for better data collection on persons with disabilities. The interviews were conducted online and took between 45-60 minutes. All interviews were recorded and extracts to support findings were taken.

4.3 Data Narrative for Inclusion of Persons with Disabilities in the Police System

INDICATOR 1 - **Users of the system: Persons with disabilities as justice seekers in the police system**

INDICATOR 2 - **Human Resources: Persons with disabilities as justice providers in the police force**

INDICATOR 3 - **Accessible infrastructure: Physical and digital accessibility and inclusion within the police system**

INDICATOR 4 - **System response to disability in the police system**

ToC

INDICATOR 1 - Users of the system: Persons with disabilities as justice seekers in the police system

Summary of Findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
1.1 Persons with disabilities who have accessed the police system	Centre ◉ State ○	Centre ○ State ○	○
1.2 Cases registered under Section 92 of the RPwD Act	Centre ◉ State ○	Centre ○ State ○	○
1.3 Crimes committed against persons with disabilities	Centre ◉ State ○	Centre ◉ State ○	○
1.4 Cases registered against persons with disabilities	Centre ◉ State ○	Centre ○ State ○	○

Figure 4.2: Summary of findings on persons with disabilities as justice seekers in the police system

AVAILABLE PUBLIC DATA: No public data is available on any of the sub indicators.

KEY
◉ Yes
◐ Partial
○ No

1.1. Persons with Disabilities who have Accessed the Police System

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF PERSONS WITH DISABILITIES ACCESSING THE POLICE SYSTEM

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	No	No	

Figure 4.3: Inclusion mandate, data mandate and data availability status of number of persons with disabilities accessing the police system

THE DATA STORY

What we considered as a data point on the users of the police system:

We considered persons with disabilities who approach police stations for any of the wide range of services accessible there besides filing FIRs, including civilian services such as passport related matters, locked house monitoring etc. for this sub-indicator.

Mandates on Persons with Disabilities Accessing the Police System

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 12, RPwD Act, 2016	The appropriate government has the obligation to ensure that persons with disabilities are able to exercise their rights to access any body with investigative powers without discrimination on the basis of their disability.
State	No mandate	NA

Table 4.4: Mandates on persons with disabilities accessing the police system

Persons with disabilities, especially those who also belong to other minority groups, frequently come in contact with the police.[96] People with mental illnesses are especially at a higher risk of arrest and police violence,[97] and problems with identification and measurement of such cognitive disabilities means that its prevalence amongst people in contact with the criminal justice system is likely understated.[98]

Is data available?

No state or UT maintains data on persons with disabilities' interactions with the police.

[96]Research Report - Police responses to people with disability
[97]How Do Police Officers Experience Interactions with People with Mental Illness? | Request PDF
[98]Research Report - Police responses to people with disability

RTI data: Persons with disabilities interacting with the police

Only around 25% of the responses we received were valid, out of which only two, the Office of the Superintendent of Police, West Khasi Hills (Meghalaya), and the Police Station in Rachakonda (Telangana), reported maintaining records related to interactions of the police with persons with disabilities. It must also be noted that while 95% of the valid responses stated that they do not keep such records, 57% of our total respondents were classified as police stations.

KEY FINDINGS ON INCLUSION OF AND DATA ON PERSONS WITH DISABILITIES ACCESSING THE POLICE SYSTEM

Conventional policing practices are often based on assumptions about able-bodied individuals, which often leads to exclusion of, and discrimination against, people with disabilities, especially when they also belong to other marginalised communities. Inaccessible communication and physical spaces and absence of necessary accommodations (due to police officers' lack of awareness and resources) lead to discrimination and a failure to adequately support persons with disabilities.[99] The absence of disaggregated data on the number of persons with disabilities coming into contact with police stations, implies that there is no estimate of the nuanced responses that would facilitate equitable access to this pillar (police) of the justice system.

"Normally, if such people (persons with disabilities) come then they come with somebody. Even regular able-bodied people, if they're coming to [the] police station, they come with some kind of support because they know how it works. People with disabilities, they also come with some support already."

~IPS Officer

[99] Disability Compilation

1.2. Cases Registered under Section 92 of the RPwD Act*



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF CASES REGISTERED UNDER SEC. 92 OF THE RPwD ACT

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Partial	No	No
STATE	No	Yes	

Figure 4.4: Inclusion mandate, data mandate and data availability status of number of cases registered under Sec. 92 of the RPwD Act



THE DATA STORY

What we considered as data points on the cases registered under Sec.92 of the RPwD Act:

We considered all cases registered under Sec. 92 of the RPwD Act for this sub-indicator. Section 92 criminalises various offenses against persons with disabilities such as intentional insults or intimidation in public, assault with intent to dishonor or outrage modesty, denial of essential sustenance, sexual exploitation, physical harm to limbs or senses, and unauthorised medical procedures leading to pregnancy termination without consent.

* Section 92 of the Rights of Persons with Disabilities (RPwD) Act, 2016 lays out punishment and penalties for abuse, violence, exploitation or discrimination against persons with disabilities.

Mandates on Cases Registered under Section 92 of the RPwD Act

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 92, RPwD Act, 2016.	Criminalises and provides the punishment of at least 6 months imprisonment for offences of atrocities against persons with disability, which are listed as: 1. insulting or intimidating with intent to humiliate a person with disability in public view 2. assaults or uses force to any person with disability with the intent to dishonour him or outrage the modesty of a woman with disability 3. voluntary or knowing denial of food or fluids to a person with disability by a person having actual charge or control over that person with disability 4. exploitation of a woman or child with disability sexually by a person who is in a position to dominate the victim's will 5. voluntarily injuring, damaging or interfering with the use of any limb or sense or any supporting device of a person with disability 6. performs, conducts or directs any medical procedure to be conducted on a woman with disability which may or does lead to termination of pregnancy without her express consent except in severe cases of disability and with the opinion of a registered medical practitioner and the guardian of the woman with disability.
State	No mandate	NA

Table 4.5: Mandates pertaining to cases registered against persons with disabilities.

Is data available?

No state/UT maintains data on the crimes registered against persons with disabilities.

KEY FINDINGS ON INCLUSION OF AND DATA ON CASES REGISTERED UNDER SEC. 92 OF THE RPwD ACT

No state maintains data on crimes registered under Section 92 of the RPwD Act. The NCRB Reports, as well as state police department websites maintain data on crimes registered under special laws such as the Prevention of Atrocities against the Scheduled Castes and Scheduled Tribes Act. No state has published data on crimes registered under the RPwD Act. Despite reported cases under Section 92 in Telangana[100] and Karnataka,[101] official sources from both states, including the state police websites, do not provide any data on these crimes. **As recently as in 2022, six years after the enactment of the RPwD Act, there was an instance of police officers having rejected complaints filed by victims under Section 92, forcing them to take judicial recourse instead.**[102] This reflects a lack of understanding among law enforcement agencies on the rights and protections accorded by the RPwD Act. Maintaining data on complaints filed under Section 92 of the RPwD Act therefore is more than just a matter of record-keeping; it is an essential tool for ensuring accountability and justice for persons with disabilities.

[100]https://www.thehindu.com/news/national/telangana/in-a-first-under-rpwd-act-police-register-case-against-jnafau/article67034859.ece;
[101]https://www.livelaw.in/pdf_upload/wp100082-23-16-02-2023-1-462118.pdf
[102]https://www.livelaw.in/pdf_upload/wp100082-23-16-02-2023-1-462118.pdf

1.3. Crimes Committed against Persons with Disabilities

INCLUSION MANDATE, DATA MANDATE, AND DATA AVAILABILITY STATUS ON CRIMES COMMITTED AGAINST PERSONS WITH DISABILITIES.

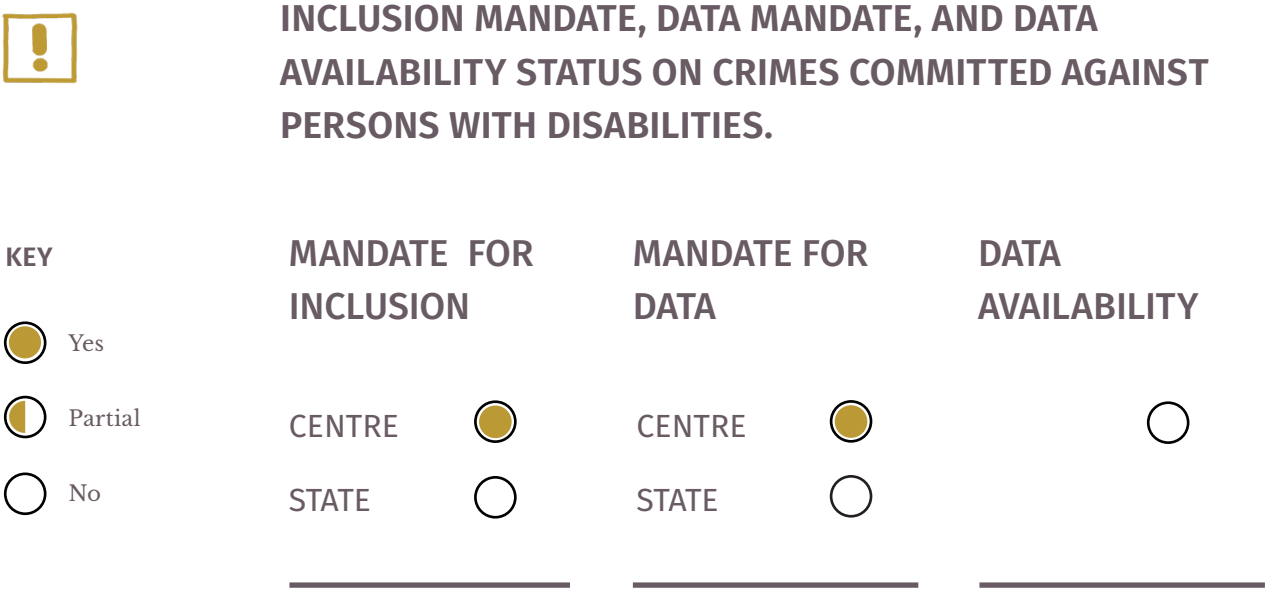


Figure 4.5: Inclusion mandate, Data Mandate, and Data Availability Status on crimes committed against persons with disabilities.

THE DATA STORY

What we considered as a data points on the number of crimes committed against persons with disabilities?

We considered **crimes committed against persons with disabilities (i.e persons with disabilities as victims of crime),** irrespective of whether they were charged under the RPwD Act or any other law for this sub-indicator.

Various studies have shown that both children and adult persons with disabilities are more likely than their peers without disabilities to be victims of violence or sexual assault, and are also "particularly vulnerable to repeat victimisation". This may be because as a population, irrespective of age or gender, they are often least able to recognise danger, protect themselves or obtain assistance within the criminal justice system.[103] Evidence also suggests that people with disabilities are also "less likely to recognise and avoid abusive and criminal situations" due to limited access to preventative education.[104]

Mandates on Crimes Committed Against Persons with Disabilities

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 7, RPwD Act, 2016.	The appropriate government must take measures to protect PwDs from abuse, violence and exploitation.
	Clause 8.5.6 of the Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021	The MHA guidelines require the police stations to maintain data on crimes against persons with disabilities, disaggregated by gender, age, place of residence, relationship with perpetrator and type of disability.[105]
State	No mandate	NA

Table 4.6: Mandates pertaining to crimes committed against persons with disabilities.

[103] Risk Factors for People with Disabilities | Crime Victims with Developmental Disabilities: Report of a Workshop | The National Academies Press
[104] Improving Criminal Justice System Responses to Crime Victims with Disabilities in India by Bhanu P. Nunna, Gerd F. Kirchhoff, Manjushree Palit :: SSRN
[105] Campaign_30112023.pdf

Is data available?

There is no publically available data on crimes against persons with disabilities. The Crime Statistics Reports published annually by the NCRB maintains data on rape/ sexual assault committed on women with mental or physical disability (under Section 376(l) of the Indian Penal Code),[106] but not general crimes committed against persons with disabilities. **The Draft National Policy on Persons with Disabilities 2021, had identified data capture of cases filed by PwDs and maintenance of disability segregated data by NCRB as crucial measures to safeguard the rights of persons with disabilities.[107] Three years on, the draft remains unfinalised, and the measures outlined in them appear far from implementation.**

KEY FINDINGS ON INCLUSION OF AND DATA ON CRIMES COMMITTED AGAINST PERSONS WITH DISABILITIES.

The lack of data around disability leads to the invisibilisation of PwDs and ineffective responses to their emergencies. While focus on certain factors behind victimisation– such as gender – exists, disability remains sidelined. This shows a lack of knowledge at the institutional level about the impacts of intersectionality, and the barriers that persons with disabilities face.[108]

[106] https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1701607577CrimeinIndia2022Book1.pdf
[107] https://socwelfare.py.gov.in/sites/default/files/ministry-social-justice-and-empowerment.pdf
[108] Invisible Victims' of Violence: A Gender and Disability Perspective of Coronavirus in India | Economic and Political

1.4. Cases registered against persons with disabilities

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF CASES REGISTERED AGAINST PERSONS WITH DISABILITIES

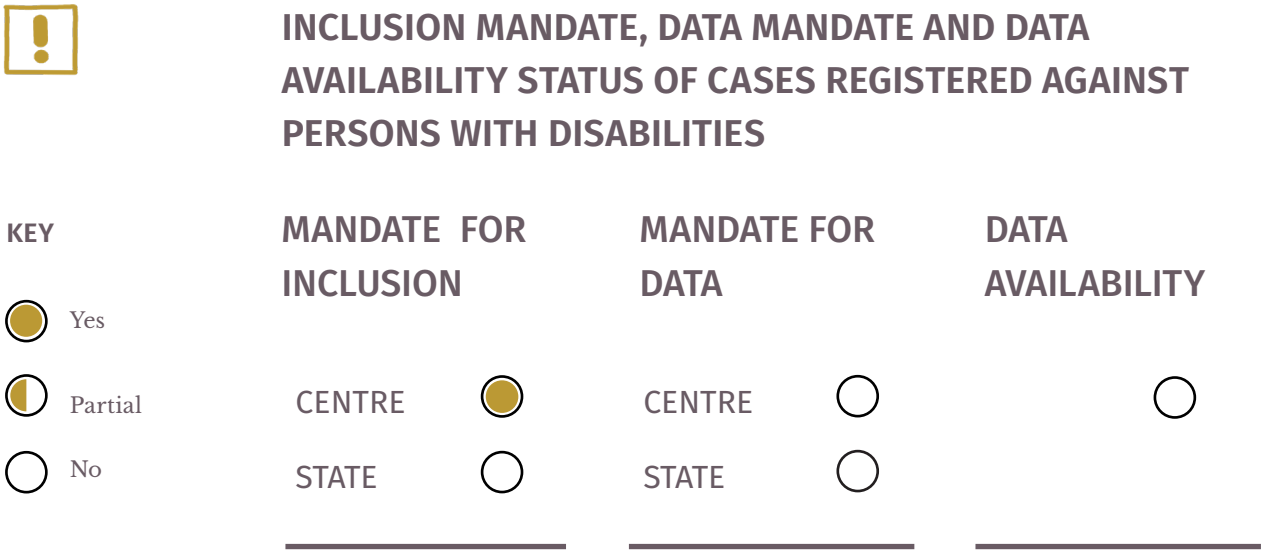


Figure 4.6: Inclusion mandate, data mandate and data availability status of cases registered against persons with disabilities

THE DATA STORY

What we considered as data points on the cases registered against persons with disabilities:

We considered all **criminal cases registered against persons with disabilities (i.e persons with disabilities as perpetrators of crime)** for this sub-indicator.

Research has found a strong link between different types of victimisation and survival strategies, which are often viewed as criminal behavior. Such behaviour is actually a form of resistance and coping with ongoing victimisation. This points to the need to ensure justice for people with disability by challenging the dichotomisation between victim and offender.[109]

Mandates on Cases Registered Against Persons with Disabilities

MANDATE LEVEL	MANDATE	EXPLANATION
Central	Rule 15 of the RPwD Rules, 2017 read with the Clause 8.4.24 of the Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021.	The MHA Accessibility Guidelines outline specific precautions to be taken by police officers in dealing with persons with disabilities who are perpetrators, accomplices or accessories in crimes. These guidelines emphasise the need to protect the dignity of persons with disabilities and avoid stereotyping related to disability and criminal disability.[110]
State	No mandate	NA

Table 4.7: Mandates pertaining to cases registered against persons with disabilities

[109]Research Report - Police responses to people with disability
[110]Campaign_30112023.pdf

Is data available?

No state/UT maintains data on the crimes registered against persons with disabilities.

KEY FINDINGS ON INCLUSION OF AND DATA ON CASES REGISTERED UNDER SEC. 92 OF THE RPWD ACT

The lack of public disaggregated data about cases registered against persons with disabilities causes challenges in identifying specific needs, risks and experiences of such individuals within the criminal justice system. The presence of this data could help inform a nuanced and disability sensitive systems response. For example, persons with disabilities may also be disproportionately targeted by law enforcement or may face unique challenges during investigation, trial, or incarceration, such as a lack of appropriate accommodations. This data gap impedes the development of targeted interventions and reforms, leaving persons with disabilities more vulnerable to systemic exclusion and discrimination. Addressing this issue is crucial for ensuring that the criminal justice system is fair, inclusive, and responsive to all individuals.

RECOMMENDATIONS TO IMPROVE INCLUSION OF AND DATA AVAILABILITY ON PERSONS WITH DISABILITIES AS JUSTICE SEEKERS IN THE POLICE SYSTEM

CHALLENGE	RECOMMENDATION	STAKEHOLDERS
Lack of data on crimes committed against persons with disabilities	1. FIRs should include a column to capture the disability status of the complainant/ victim. 2. Data on crimes by and against persons with disabilities should be compiled periodically at the state and national levels, and should be featured in Crime Statistics. 3. In case an accused requires additional support such as sign language interpreters, police stations must make reasonable accommodations to provide for them.	1. National Crime Records Bureau 2. Ministry of Home Affairs 3. State Home Departments
Lack of data on crimes under Section 92	1. Police stations must keep a record of crimes registered under Section 92 of the RPwD Act. The data should be compiled at the state and national levels, and be featured in Crime Statistics.	1. National Crime Record Bureau

Table 4.8:Recommendations to improve inclusion of and data availability on persons with disabilities in the police system

INDICATOR 2 - Human resources: Persons with disabilities as justice providers in the police force

Summary of findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
2.1 Officers in the police force who are persons with disabilities	Centre ◉ State ○	Centre ○ State ○	○

Figure 4.7: Summary of findings on persons with disabilities as justice providers in the police force

AVAILABLE PUBLIC DATA: No public data is available on any of the sub indicators.

KEY ◉ Yes ◐ Partial ○ No

2.1. Officers in the police force who are persons with disabilities

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF OFFICERS WITH DISABILITIES IN THE POLICE FORCE

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	Partial	No	

Figure 4.8: Inclusion mandate, data mandate and data availability status of officers with disabilities in the police force

THE DATA STORY

What we considered as data points on officers with disabilities in the police force?

For this sub-indicator, we considered police officers in state police forces- from the rank of constable upwards.

Other staff in the police service, such as ministerial staff and consultants hired for temporary services are not considered.

Mandates on Officers with Disabilities in the Police Force

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 34, RPwD Act, 2016	Mandates 4% reservations for those with disabilities in government institutions/ establishments.[111]
State	Rule 9, RPwD Act Rules, 2017	Mandates data recording and maintenance (detailed information on persons with disabilities employed under their establishment including the number of such persons, their name, gender, address, type of disability, nature of work, and type of reasonable accommodations provided by the establishment to the person with disabilities) for staff with disabilities.[112]
Exemptions		
Central	Proviso 2 to Section 34 (1)	Authorises the appropriate government to exempt any government establishment from reserving positions for PwDs with due regard to the type of work carried out
	Exemption Notification from the Ministry of Social Justice and Empowerment[113]	Exempts all categories of posts under the Indian Police Service ["IPS"] and the Indian Railway Protection Force Services ["IRPF"] and also all categories of police posts in Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman, Diu, Dadra and Nagar Haveli from reserving positions for persons with disabilities by virtue of the second proviso to Sec. 34(1) of RPwD Act.

[111] Section 34, RPwD Act, 2016
[112] Rule 9 (Form and manner of maintaining records by the establishments), RPwD Act, 2016
[113] 02310301405189578.pdf

MANDATE LEVEL	MANDATE	DESCRIPTION
State	Andhra Pradesh,[114] Bihar,[115] Karnataka,[116] Kerala,[117] Meghalaya,[118] Mizoram,[119] Odisha,[120]	Require that police staff be physically fit, or explicitly deny reservation for PwDs

[113]02310301405189578.pdf
[114]Rule 4 of The Andhra Pradesh Police (Civil Police) Service Rules, 1998 provides that 'no reservation shall be made for physically handicapped persons.
[115]Rule 658 (iv) and (v) of the Bihar Police Manual provides for medical fitness and physical standards for candidates. Subsequent amendments have only changed the physical standards.
[116]Karnataka State Reserve Police (Cadre and Recruitment) rules 2020 Candidates with certain chronic illnesses or conditions that could impair their ability to perform required duties may be disqualified.
Conditions that affect mobility or physical performance, such as disabilities or injuries, are considered in the disqualification criteria.
[117]Section 86(c) of the Kerala Police Act provides that a person found mentally, physically or behaviourally unfit for carrying out the duties of police shall not be appointed.
[118]Clause 36.2 of the Office Memorandum regarding guidelines for recruitment of Police Personnel provides that a person shall not be appointed unless they are found free from any debilitating disease which according to the opinion of the doctor is likely to impede the candidate's functioning in the Police department, knock knees, bad eyesight, or any other defects in the body.
[119]List of posts for respective category of PwBD under Section 34 under Government of Mizoram does not recognise any police post
[120]Odisha Police Service (Method of Recruitment and Conditions of Service of Constables) Order, 2021 states that Candidates with disability or deformity shall not be eligible for consideration. The Odisha Police Service (Method of Recruitment and Conditions of Service of Sub-Inspector of Police) (Armed) Order, 2021 states that persons with disability and women aren't eligible for recruitment

MANDATE LEVEL	MANDATE	EXPLANATION
State	Punjab,[121] Rajasthan,[122] Tamil Nadu,[123] Telangana,[124] Tripura,[125] Lakshadweep.[126]	Require that police staff be physically fit, or explicitly deny reservation for PwDs

Table 4.9: Mandates on officers with disabilities in the police force

[121]The Punjab Police Service Rules states that the physical standard prescribed via the physical fitness certificate shall not be relaxed without special sanction of the Government.[pg.6] Further, The Punjab Police Rules for direct recruitment (Amendment) states that the conditions of police service make it necessary that the medical examination of candidates should be strict. Candidates shall be rejected for any disease or defect which is likely to render them unfit for the active duties of a police officer.

[122]Standing order for Procedure for Recruitment of constables do not mention any reservation for persons with disabilities. Additionally, only medically fit candidates may be appointed. Candidates must also be "in good mental and bodily health and free from any physical defects/surgical problems likely to interfere with the efficient performance of the duties".

[123]Information Hand Book on Tamil Nadu Uniformed Services Recruitment Board does not provide for persons with disabilities reservation for the posts of Sub-Inspectors of Police, Grade II Police Constables and Sub Inspectors (Technical), but does provide for mandatory physical exams and medical tests.

[124]Telangana State Level Police Recruitment Board Notifications do not mention reservation for persons with disabilities. Further, it states that candidates who have the following ailments or defects will not be considered for recruitment to any of the Post notified: Physically Handicapped, Knocking-Knees, Pigeon Chest, Flat Foot, Varicose Veins, Hammer Toes, Fractured Limbs, Decayed Teeth, Stammering, Hard of Hearing and Abnormal Psychological Behaviour.

[125]The Tripura Police Act, 2007 mentions the removal of police officers from their post due to incapacitation by physical or mental illness or otherwise becoming unable to discharge their functions

[126]Annexure 2 and 3 of the Office Order regarding Reservation for Persons with Benchmark disabilities, which talk about posts suitable for persons with disabilities under Group B and Group C explicitly mentions that the various posts in the Police Department of Inspectors, Sub Inspectors, Assistant Sub Inspectors, Constables etc., are not suitable for persons with disabilities.

Is data available?

No data could be found on police officers with disabilities in any state police force.



RTI data: Police officers with disability

Out of the 76 responses we received regarding the presence of police officers with disabilities, the vast majority of institutions reported having no personnel with disabilities. Only four institutions indicated the employment of police officers with disabilities. Notably, the Office of the Deputy Superintendent of Police Headquarters in Kishtwar (Jammu and Kashmir) reported three officers with disabilities, while the 1st Battalion Delhi Armed Police (New Police Line, Kingsway Camp, Delhi) reported five such officers among their staff.

"When a police person acquires a disability, they are given the option to retire or to switch to administrative services."

~IPS Officer

"We have a physical standards test. So disabled persons cannot even get into the uniformed police force."

~IPS Officer

KEY FINDINGS ON INCLUSION OF AND DATA ON POLICE OFFICERS WITH DISABILITIES

Despite the Supreme Court judgement in the matter of Ravinder Kumar Dhariwal v. Union of India,[127] the general practice and perception within the police department is that police officers with disabilities cannot not be accommodated within the police system.

While the RPwD Act provides for reservation for all states and union territories, it also provides for governments to exempt government establishments from complying. Under this provision, **the Central Government has exempted the IPS and IRPF and all categories of police posts in Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman, Diu, Dadra and Nagar Haveli from employing persons with disabilities.**

"It is not viable or feasible to induct people with certain kinds of disabilities because service requirements are different."

~IPS Officer

States follow their own recruitment rules for government posts, and often, special recruitment rules for police service and specific cadres. However, there is no uniformity among the recruitment rules across states:

1. Most states do not mention reservation for persons with disabilities to police posts in their police recruitment rules. Where there is mention of reservation, there is no clarity on implementation. The Uttar Pradesh Police Service Rules 2016 (for Group A and B posts)[128] and the Uttar Pradesh Police Constable and Head Constable Rules 2015 (for Group C posts)[129] state that the Uttar Pradesh Public Services (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex- Servicemen) (Amendment) Act, 1999, shall apply for recruitment to these posts. The same rules state that a candidate has to be free from physical defects likely to affect the performance of their duties,[130] and candidates have been denied the opportunity to apply for the posts, forcing them to approach the Court for resolution.[131]

[127] 2021 INSC 916
[128] Rule 6, Uttar Pradesh Police Service Rules 2016
[129] Rule 6, Uttar Pradesh Police Constable and Head Constable Rules 2015 (for Group C posts)
[130] Rule 13
[131] Sury Prakash v. State of U.P. & Ors., 2018 sec Online All 5499

2. Some states (such Andhra Pradesh and Odisha) expressly disqualify persons with disabilities from recruitment and reservation

3. Nagaland has identified the posts of 'Deputy Superintendent of Police', 'Inspector' and 'Sub-inspector' as suitable for acid attack victims ['AAV'] and leprosy cured ['LC']

4. In some cases (Tripura), police officers are removed from service in case of physical or mental incapacitation[132]

5. Generally, reservation is provided for non-uniformed, administrative posts in the police department in some states (Delhi,[133] Punjab[134]). However, in some cases, reservation is not extended to such posts too. For instance, the 2024 recruitment notice for Chandigarh Constables (executive) (IT) does not provide reservation for persons with disability, even while the role is mostly of a technical nature[135]

While **the "Data on Police Organisations Report" published by the Bureau of Police Research and Development ["BPRD"] lays out the strength of women, SCs and STs in the police force, it does not have data on police officers with disability.** This omission likely reflects the stark underrepresentation and invisibilisation of officers with disability- but it is certainly not a case of the total absence of personnel with disabilities in the police force: the Draft MHA Guidelines which were published for feedback and comments from the public explicitly stated that there could be civil police officers who are persons with disabilities.[136] The finalised Guidelines however makes no reference to police officers with disabilities.

The Office of the Commissioner of Police of Delhi had, in 2016, issued a notification outlining suggestions to support "differently abled police personnel." The notification states that Delhi has a "considerable number" of police officers with disability.

Note: *The state level mandates applicable for police recruitment are: state public service rules, general police recruitment rules and specific cadre rules. For the purposes of this analysis, general state public service rules have been exempted since they are not specific to the police department and may have exemptions.*

[132]Section 6(2)(d), Tripura Police Act, 2007
[133]Posts of Head Constable (Ministerial), Assistant Sub Inspector (Stenographer) and Store Clerk (Head Constable) have reservations for persons with disabilities https://upload.indiacode.nic.in/showfile?actid=AC_DL_64_704_00007_00007_1577685290222&type=rule&filename=delhi_police_rules.pdf
[134]https://punjabpolice.gov.in/PDFViwer.aspx?pdfFileName=~/writereaddata/UploadFiles/OtherFiles/AdvertisementforCSS.pdf
[135]https://chandigarhpolice.gov.in/pdf/Recruitment/2024/IT/Recruitment_Notice_Const_IT_2024.pdf
[136]https://www.mha.gov.in/sites/default/files/PublicNoticeforDraftStandards_22112021.pdf

RECOMMENDATIONS TO IMPROVE INCLUSION OF AND DATA AVAILABILITY ON PERSONS WITH DISABILITIES AS JUSTICE PROVIDERS IN THE POLICE FORCE

CHALLENGE	RECOMMENDATION	STAKEHOLDERS
Lack of clarity on exemptions to the police department on reservations for persons with disabilities	State police rules should be amended to reflect the mandates under Section 34. Reservations must be extended to the police department for all such posts for which the disability would not serve as an impediment in effectively administering their duties. Reasonable accommodations should be made permitting persons with disabilities to contribute to roles in the police. The Police Department must maintain data on both police officers who have entered the force with a disability as well as on those who have acquired a disability while in service.	State legislature

Table 4.10: Recommendations to improve inclusion of and data availability on persons with disabilities in the police force

INDICATOR 3 - Accessible infrastructure: Physical and Digital Accessibility and Inclusion within the Police System

Summary of Findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
3.1 Ramps and lifts in police stations	Centre ◉ State ○	Centre ○ State ○	○
3.2 Accessible Toilets in Police Stations	Centre ◉ State ○	Centre ○ State ○	○
3.3 Vehicles with accessible features for persons with disabilities in interaction with the police station	Centre ◉ State ○	Centre ○ State ○	○
3.4 Any Other Reasonable Accommodation for Persons with Disabilities Provided by the Police	Centre ◉ State ○	Centre ○ State ○	○

Figure 4.9: Summary of findings on accessible infrastructure in the police system

AVAILABLE PUBLIC DATA: No public data is available on any of the sub indicators.

KEY ◉ Yes ◐ Partial ○ No

3.1. Ramps and lifts in police stations



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF RAMPS AND LIFTS IN POLICE STATIONS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	No	No	

Figure 4.10: Inclusion mandate, data mandate and data availability status of ramps and lifts in police stations



THE DATA STORY

What we considered as data points for availability of ramps and lifts in police stations:

While police stations may require varying numbers of ramps and lifts depending on the building structure, number of floors etc., we have considered data availability on the provision of even one ramp at police stations.

Mandates on Availability of Ramps and Lifts in Police Stations

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 40, RPwD Act	Central Government to formulate rules laying down standards of accessibility
	Section 45, RPwD Act	Appropriate government to make public buildings accessible
	Rule 9, RPwD Rules	Establishments must maintain records of the kind of facilities being provided to persons with disabilities
	Rule 15, RPwD Rules	Comply with the Harmonised Guidelines, and the Accessibility Guidelines
	Clause 5.3.a of the Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021	Provides for disability friendly entry to be provided for in modern police stations, which involves a gentle gradient ramp with railings on both sides for convenience of movement of persons with disability

Table 4.11: Mandates on availability of ramps and lifts in police stations

Is data available?

While some isolated information is available for some states, there is no consistent or uniform data available.



RTI data: Availability of Ramps within Police Stations

61% of the responses we received engaged with the question on availability of ramps, out of which almost 68% reported having them within their premises. However, many of the responses did not mention the number, location or functionality of the available ramps.



KEY FINDINGS ON INCLUSION OF AND DATA ON POLICE OFFICERS WITH DISABILITIES

Ramps to Nowhere: Inaccessibility of Existing Ramps

To conduct an interview with a police officer, members of the research team had visited a modernised police station in Bangalore. Although the police station had built a ramp, its functionality was limited. The pathway leading to the ramp was obstructed by an official police vehicle, rendering it inaccessible to individuals with mobility challenges. A small step at the entrance to the police station reception area created a barrier, undermining the ramp's effectiveness. This gap between compliance and functionality underscores challenges in the implementation of the RPwD Act.

While systematic data is not available, there are isolated news reports on police stations in certain states/districts/ villages being made disability-friendly through the installation of ramps.[137] However, no official data exists on the same in any state. The MHA ranking of police stations collects data on the availability of ramps in police stations- out of a total of 17,379 police stations in the country, only 74 are considered for the exercise based on an extensive shortlisting process. The data from each of these police stations, is not released publically.

"All new police station buildings, they all have ramps. At least in [the] ground floor. It is part of the police station design itself"

~IPS Officer

"One should look at the state of infrastructure otherwise. Same applies to ramps also. If things are falling apart elsewhere, this would also happen with ramps as wel"

~IPS Officer

Other official records indicating the presence of ramps in police stations are incomplete, and are not reported consistently. **For instance, the Activity Reports of the Kerala Police mentions the amount allotted for ramps in specific police stations.[138] However, it does not reflect the number of ramps constructed in police stations in the state. Similarly, the Office of the Commissioner for Persons with Disability in Delhi had, in 2019, released a disability audit report of public buildings in the state.[139] However, the document does not mention the accessibility features that were checked;** police stations have been marked as being disability-friendly, not disability-friendly and partly disability-friendly- but there is no indicator on the type of disability-friendly features that are present.

[137]https://www.thehindu.com/news/cities/Tiruchirapalli/ramps-built-in-10-police-stations/article35081638.ece; https://www.newindianexpress.com/states/tamil-nadu/2024/Feb/27/ramps-interpreters-make-coimbatore-police-stations-accessible

[138]keralapolice.gov.in/storage/pages/custom/ckFiles/file/Kerala_Police_Activity_Report_2019.pdf

[139]https://discomm.delhi.gov.in/sites/default/files/discomm/pdf_files/accessibility/road.pdf

3.2. Number of Accessible Toilets in Police Stations



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS ON ACCESSIBLE TOILETS IN POLICE STATIONS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	No	No	

Figure 4.11: Inclusion mandate, data mandate and data availability status on accessible toilets in police stations



THE DATA STORY

What we considered as data points for availability of accessible toilets in police stations?

Police stations may need a varying number of disability-friendly toilets depending on the population they serve.

For this data point, any data on the availability of disability-friendly toilets was considered.

Mandates on Availability of Accessible Toilets in Police Stations

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 45, RPwD Act	Appropriate government to make public buildings accessible
	Rule 9, RPwD Rules	Establishments must maintain records of the kind of facilities being provided to persons with disabilities.
	Rule 15, RPwD Rules	Comply with the relevant Guidelines
	Clause 5.3.c of the Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021	Provides for a separate toilet for male, female & visitors with disabilities near the Reception Counter.

GUIDELINE LEVEL	GUIDELINE	DESCRIPTION
Central	Clause 6.1(c) of the Standards for Modern Police Station Building	Provides for separate toilets for visitors with disabilities near the reception[140]
State	No Mandate	NA

Table 4.12: Mandates on availability of accessible toilets in police stations

Is data available?

No data is maintained by any state on accessible toilets in police stations. The Kerala Police Housing and Construction Corporation Annual Reports maintains a list of awarded works for each year, which features the estimates and sanctioned amounts for specific construction works in police stations, including for disability-friendly toilets.[141] However, this does not indicate the operational status of the toilets.

RTI data: Number of accessible toilets for persons with disabilities in police stations

50% of the total responses answered the question on the number of accessible toilets. Almost 72% of the valid responses reported having at least one accessible toilet for persons with disabilities. However, it must be noted that many responses considered traditional western toilets as accessible enough for persons with disabilities.

[140] untitled

[141] https://kphccltd.kerala.gov.in/storage/pages/custom/ckFiles/file/tmjvkP7bstbtacH6UoRxB5XxH6XoU2fa7ZqAaSl7.pdf states that budget for disability-friendly toilets have been sanctioned for 19 different police stations in the state.

KEY FINDINGS ON INCLUSION OF AND DATA ON DISABILITY-FRIENDLY TOILETS IN THE POLICE SYSTEM

Persons with disabilities often have inherent health issues that may get exacerbated if they do not have access to toilets in public spaces.[142] This lack of accessibility may also be weaponised against persons with disabilities in an effort to deliberately subject them to harsh conditions and force them to refrain from eating and drinking to minimise bowel movements.[143] However, efforts have been made towards achieving greater inclusion. For instance, the Swarga Foundation collaborated with a civil construction firm and the Coimbatore City Police Commissioner to build a wheelchair-friendly toilet at the Commissioner's office.[144] Courts have also stepped in to direct that public buildings have accessible toilets.

The Supreme Court in Rajeeb Kalita v Union of India issued directions for the construction of toilet facilities for women, specially-abled persons and transgender persons in Court premises and tribunals across the country.[145] In 2023, the Bombay High Court ordered the Maharashtra government to ascertain if all government buildings had wheelchair friendly toilets, and to take steps to upgrade the infrastructure accordingly.[146] Accessible toilet facilities are a fundamental necessity to uphold the dignity, health, and rights of persons with disabilities, making their inclusion in public spaces a critical step toward a more equitable society.

[142]Make toilets accessible for PwDs: Rights body | Goa News - Times of India
[143]Disability Compilation
[144]BRIDGING BARRIERS | Swarga Foundation
[145]Supreme Court Issues Directions To Ensure Toilet Facilities In Court Premises For Women, Disabled & Transgender Persons;
[146]Take steps for wheelchair-friendly toilets, washrooms in govt buildings: HC to Maharashtra | Mumbai News - The Indian Express

3.3. Vehicles with accessible features for persons with disabilities in interaction with the police station

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF VEHICLES WITH ACCESSIBLE FEATURES IN POLICE STATIONS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	No	No	

Figure 4.12: Inclusion mandate, data mandate and data availability status of vehicles with accessible features in police stations

THE DATA STORY

What we considered as data points under availability of vehicles with accessible features in police stations:

We considered police vans, buses, jeeps and any other vehicles in use by the police station with accessible features.

Mandates on Vehicles with Accessible Features in Police Stations

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 41(b), RPwD Act	The appropriate Government has the obligation to provide access to modes of transport that are accessible for persons with disabilities
	Rule 9, RPwD Rules	Establishments must maintain records of the kind of facilities being provided to persons with disabilities.
	Rule 15, RPwD Rules	Comply with the relevant Guidelines
	Clause 8.5.8c of the Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021	Recommends that there should be a separate accessible unit of transport service within the police force for persons with disabilities. Additionally, it also recommends that the existing police vehicles have accessible features including the space for a wheelchair.
State	No Mandate	NA

Table 4.13: Mandates on vehicles with accessible features in police stations

Is data available?

No state maintains data on accessible transportation provided for persons with disabilities within the police system.



RTI data: Vehicles with accessible features

39% of the total responses engaged with our question on the availability of accessible vehicles, with only five institutions reporting the presence of such vehicles. However, no details as to the kind of accessibility features incorporated in the vehicles were reported.



KEY FINDINGS ON INCLUSION OF AND DATA AVAILABILITY OF ACCESSIBLE VEHICLES

No official data exists on the status of accessibility of police infrastructure in any state.The lack of accessible vehicles with the police will hamper the mobility and inclusivity of any persons with disabilities they interact with, including any accused they may have to bring in front of the magistrate. . The absence of data on accessibility of police infrastructure undermines transparency, making it difficult to assess compliance with legal mandates, such as the RPwD Act, 2016. This lack of data hampers the development of targeted policies, resource allocation, and monitoring mechanisms to enhance mobility and inclusivity, perpetuating systemic barriers for persons with disabilities in accessing essential public services.

3.4 Any Other Reasonable Accommodation for Persons with Disabilities Provided by the Police

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF ANY OTHER REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES PROVIDED BY THE POLICE

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	No	No	

Figure 4.13: Inclusion mandate, data mandate and data availability status of any other reasonable accommodations for persons with disabilities

THE DATA STORY

What we considered as data points under availability of vehicles with accessible features in police stations:

We considered any reasonable accommodations provided for persons with disabilities, such as the provision of wheelchairs, sign language interpreters etc.

Reasonable accommodations (RAs) have been defined under the RPwD Act as "necessary and appropriate modification and adjustments, without imposing a disproportionate or undue burden in a particular case, to ensure to persons with disabilities the enjoyment or exercise of rights equally with others." These RAs may range from building ramps or providing assistive technologies to restructuring job requirements and modifying workplace policies.



Mandates on Availability of Other Reasonable Accommodations for Persons with Disabilities in Police Stations

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Clause 8 of the Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021	Various provisions of this clause provide for various kinds of accommodations that the police must provide, including leveraging information technology, keeping services of interpreters available for use when needed, etc.

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 3 of the RPwD Act	The appropriate Government is mandated to extend reasonable accommodations to persons with disabilities. The Act defines reasonable accommodation as *"necessary and appropriate modification and adjustments, without imposing a disproportionate or undue burden in a particular case, to ensure to persons with disabilities the enjoyment or exercise of rights equally with others."*[147] Unlike accessibility measures, which address the needs of groups, reasonable accommodations are tailored for individuals to ensure that their specific accessibility needs are met.[148] For example, ramps serve as a general accessibility measure for many, while wheelchairs are individualised accommodations provided to those with specific locomotor or other disabilities.
State	No Mandate	NA

Table 4.14: Mandates on availability of other reasonable accommodations for persons with disabilities in police stations

[147]Section 3, Rights of Persons with Disabilities Act, 2016
[148]Paragraph 9, General Comment on Article 9, United Nations Convention on Persons with Disabilities

Is data available?

No state maintains data on reasonable accommodations provided to persons with disabilities in police stations.



RTI Data: Special accommodations provided to PwDs within police stations

46% of the responses we received dealt with the question on special accommodations for persons with disabilities, with only around 20% reporting having any such provisions in place.

Accessible e-police Website

Out of 80 responses received on the question of digital accessibility, only 39 institutions reported having an e-police website that complies with the accessibility standards outlined in the Guidelines for Indian Government Websites (GIGW). This means that more than half of the responding institutions do not have websites designed to be accessible to persons with disabilities, limiting their ability to access essential information and services online.

KEY FINDINGS ON INCLUSION OF AND DATA ON OTHER REASONABLE ACCOMMODATIONS PROVIDED BY THE POLICE

No official data exists on the status of accessibility of police stations in any state.

Providing reasonable accommodations for persons with disabilities to ensure their rights are protected remains a duty of the public institutions. While some basic steps are being taken, such as increasing numbers of public websites being made accessible, the lack of systematised data on the measures taken and their effectiveness leads to an inability to recognise the many barriers persons with disabilities face.

In the absence of reasonable accommodations that enable persons with disabilities to navigate the justice system autonomously, persons with disabilities find themselves at the mercy of a system they cannot navigate, their agency stripped from them. By collecting and publicising data, the system can ensure that policies are not only responsive but also proactive in creating an equitable police system for everyone.

RECOMMENDATIONS TO IMPROVE ACCESSIBILITY FOR PERSONS WITH DISABILITIES IN THE POLICE SYSTEM

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Non-functionality and non-availability of accessible features in built-infrastructure in police stations	The installation of disability-friendly ramps and toilets should be done keeping the functionality of the features in consideration. This should be in compliance with the Harmonised Guidelines and the Revised Standards for the Construction of Modern Police Station Buildings.	1. State Police Departments 2. Ministry of Home Affairs 3. Central Public Works Department (CPWD) 4. State Public Works Departments (PWD) 5. Chief Commissioner for Persons with Disabilities
Lack of periodic audits on the accessibility of police stations	Periodic accessibility audits should be undertaken to check compliance with the Harmonised Guidelines and the Revised Standards for the Construction of Modern Police Station Buildings. The audits must assess not merely the presence, but the functionality of the features as well.	1. National Institute of Urban Affairs (NIUA) 2. Department of Empowerment of Persons with Disabilities (DEPwD) 3. State Police Departments

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Inability to communicate with persons with disabilities	Have experts/civil society organisations available to assist with communicating with persons with disabilities if the need arises.	1. State Police Departments, Disability Experts
Inadequate training resources for police personnel with disabilities	Develop and implement specialised training methods for police personnel with disabilities and inclusion in Police Training Manuals	1. Bureau of Police Research & Development (BPR&D), Ministry of Home Affairs, Government of India 2. State Police Training Academies / Police Training Colleges
Inconsistent or absent protocols for interacting with PwDs during cases	Draft and enforce Standard Operating Procedures (SOPs) with specific roles and responsibilities	1. Ministry of Home Affairs, Police Headquarters, Legal Experts, DPOs

Table 4.15: Recommendations to improve accessibility for persons with disabilities in the police system

INDICATOR 4 - System response to disability in the police system

Summary of findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
4.1 Annual training/ sensitisation/awareness programs for police officers regarding persons with disabilities	Centre ◉ State ○	Centre ○ State ○	○

Figure 4.14: Summary of findings on system response to disability in the police system

AVAILABLE PUBLIC DATA: There is no publicly available data on disability specific training sessions conducted for police officers under the RPwD Act or otherwise.

KEY
◉ Yes
◐ Partial
○ No

4.1 Number of Annual Training/Sensitisation/ Awareness Programs for Police Officers

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF ANNUAL TRAINING/ SENSITISATION/AWARENESS PROGRAMS FOR POLICE OFFICERS ON DISABILITIES

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	No	No	

Figure 4.15: Inclusion mandate, data mandate and data availability status of annual training/ sensitisation/awareness programs for police officers on disabilities

THE DATA STORY

What we considered as data points under the number of annual training/ sensitisation programs conducted for police officer?

We considered training/sensitisation/ awareness programmes conducted for police officers by police academies, government institutions such as the Rehabilitation Council of India, as well as civil society organisations for this data point.

Mandates on Annual Training/Sensitisation Programs for Police Officers

MANDATE LEVEL	MANDATE	EXPLANATION
Central	Section 47 of the RPwD Act	The appropriate Government is mandated to give training on disability rights in all courses for the training of public officials, including police officers. However, no specific notification has been promulgated by the Government explicitly mandating the inclusion of disability rights to police officers.
	Central Section 47 of the RPwD Act The Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021 discusses the Sensitisation Training of Police Officials (Section 8.5.13).[149]	Section 8.5.13 guides police officers to be sensitised towards the security and safety needs of PwDs. Such training must cover "the full life cycle of a case involving a disabled survivor, from enabling them to register complaints, obtain necessary accommodations, medical attention and suitable legal representation".
State	No mandate	NA

Table 4.16: Mandates on annual training/sensitisation programs for police officers

[149] Campaign_30112023.pdf

Is data available?

There is no publicly available data on disability specific training sessions conducted for police officers under the RPwD Act or otherwise. One-off instances of police academies imparting training to police could be found in police academy websites.[150]

"In any urban police station, I think the staff are sensitised enough. So they do respond. Any kind of laxity in terms of response may be seen in hinterlands in rural, very rural police stations. We have not come across any case where a physically challenged person or differently abled person has been ill-treated or mistreated by the police."

~IPS Officer

KEY FINDINGS ON THE TRAININGS/SENSITISATION PROGRAMS CONDUCTED FOR THE POLICE

Generally speaking, disability sensitisation/ training is not provided to police officers. Nearly 10 years after the enactment of the Rights of Persons with Disabilities Act, the implementation of disability rights and entitlements as per the letter of the law is not followed, with respect to police system response to persons with disabilities as a civilian, offender, or victim. No data is available on the aspect of training, sensitisation, number of support staff for persons with disabilities in the police system.

[150]The "Latest Updates" section of the Kerala Police Training College contains the information that a session on "Awareness Programme on rights of persons with disabilities" was conducted. However, there is no data on the number of attendees or the number of such sessions conducted.

"So if police have a role to play, then [training] will be necessary, for example, [under the] Senior Citizens Maintenance Act, police have certain specific responsibilities, so for that trainings have been held ..... A lot of legislations keep coming. Only for those legislations where police officers have specific powers and responsibilities, then training is important"

~IPS Officer

"In any urban police station, I think the staff are sensitised enough. So they do respond. Any kind of laxity in terms of response may be seen in hinterlands in rural, very rural police stations. We have not come across any case where a physically challenged person or differently abled person has been ill-treated or mistreated by the police."

~IPS Officer

The RPwD Act in fact, does place special obligations on police officers to provide protective custody to persons with disabilities on orders of the Magistrate,[151] and inform such persons of their special rights on receipt of complaints of violence or abuse against them.[152]

Media reports paint a dismal picture: there have been numerous reports from various states documenting instances of police brutality and violence against persons with disabilities.[153]

In response to the issue, the Madras High Court has mandated disability sensitisation training for police officers.[154]

[151] Section 7(3)(a), Rights of Persons with Disabilities Act, 2016
[152] Section 7(4), Rights of Persons with Disabilities Act, 2016
[153] Reddy, Y. M. (2024, April 16). Disability rights: Inspector's conduct under scrutiny. Bangalore Mirror. https://bangaloremirror.indiatimes.com/bangalore/others/disability-rights-inspectors-conduct-under-scrutiny/articleshow/109322862.cms; Sharma, Y. (2023, July 30). On camera, two security officials thrash disabled man in UP's Deoria, probe on. Hindustan Times. https://www.hindustantimes.com/cities/lucknow-news/on-camera-two-security-officials-thrash-disabled-man-in-ups-deoria-probe-on-101690711143229.html Express News Service. (2024, February 25). PwD activists claim mistreatment by cops in Tamil Nadu. The New Indian Express. https://www.newindianexpress.com/states/tamil-nadu/2024/Feb/25/pwd-activists-claim-mistreatment-by-cops-in-tamil-nadu
[154] L Muruganandam v The State The State of Tamil Nadu represented by its, Additional Chief Secretary to Government, Homes Department, Secretariat

Section 39 of the Rights of Persons with Disabilities Act, 2016, imposes an obligation on the Government to conduct sensitisation programmes and awareness campaigns to ensure that the Rights of Persons with Disabilities provided under the Act are protected. To our dismay, we find that there is not enough done by the Government to achieve the objects of the enactment which had been enacted even in the year 2016. Though the enactment contains several measures to be taken by the appropriate Governments to protect the rights of the persons with disabilities, very little is being done to implement the provisions of the enactment. The very fact that no training or no sensitisation programme has been held by the appropriate Government, as required under Section 39, shows that there has been callous indifference in implementing the provisions of the Act. Even on implementation of the directions of the Hon'ble Supreme Court with reference to arrest of individuals, we find the situation is no better.

-Madras High Court in L Muruganandam v The State The State of Tamil Nadu represented by its, Additional Chief Secretary to Government, Homes Department, Secretariat.



RECOMMENDATIONS TO IMPROVE SYSTEM RESPONSES TO PERSONS WITH DISABILITIES

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Stereotyping and discrimination against accused persons with disabilities	Police officers must be sensitised to provide equal and fair treatment to persons with disabilities. Police refresher training and workshops should include training on the duties of police officers under the RPwD Act. The required trainings can be held in collaboration with civil society organisations, research institutions, mental health institutes, etc.	1. Bureau of Police Research & Development 2. Ministry of Home Affairs 3. State Home Departments 4. Academic and Research Institutions 5. Mental Health professionals
Weak Legal and Institutional Accountability	Establish independent oversight bodies to monitor police interactions with PwDs.	1. Ministry of Law and Justice 2. National Human Rights Commission 3. State Human Rights Commissions 4. Civil Society Organisations

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Absence of Procedural Accommodations	Develop guidelines for accessible complaint filing, including sign language interpreters and assistive technologies. Ensure support persons are avialable during investigations involving PwDs	1. Ministry of Home Affairs 2. State Police Departments 3. Legal Services Authorities 4. Disability Advocacy Groups
Digital and Communication Barriers	Ensure police websites and digital services comply with Web Content Accessibility Guidelines (WCAG). Provide information in multiple formats, including Braille, audio, and easy-to-read versions.	1. National Informatics Centre 2. Ministry of Electronics and Information Technology 3. State IT Department
Intersectional Discrimination (e.g., Gender, Caste, Rurality)	Implement community outreach programs targeting marginalised PwDs. Train police to recognise and address compounded vulnerabilities faced by women, children, and rural PwDs.	1. National Commission for Women 2. National Commission for Scheduled Castes 3. State Social Welfare Departments 4. NGOs

Table 4.17: Recommendations to improve system responses for persons with disabilities

4.4 Key Takeaways and General Recommendations for the Police System in India

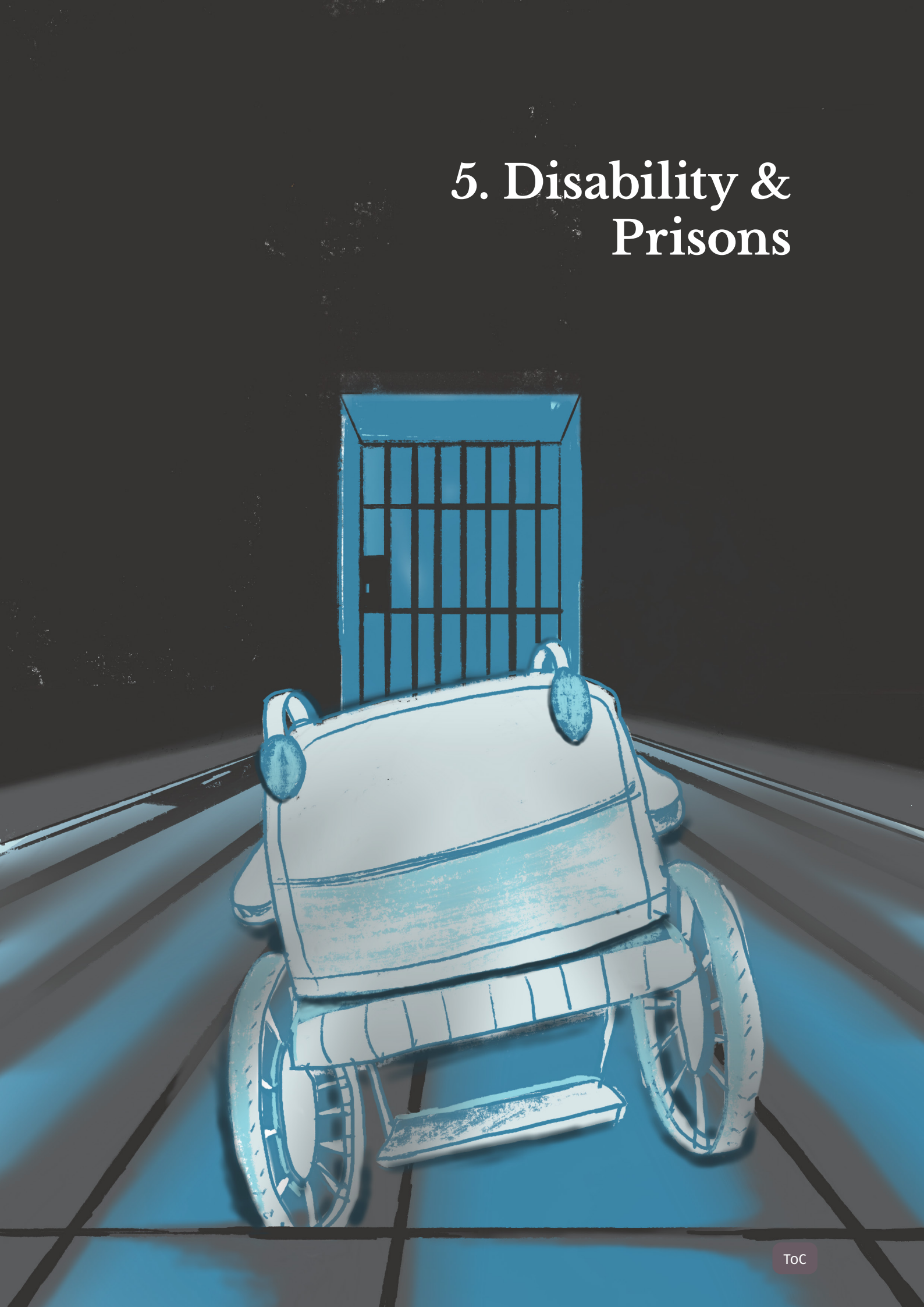
	CHALLENGES	RECOMMENDATIONS
At the Inclusion Mandate Level	**Lack of inclusion:** Police forces in various states and union territories, as well as officers at the IPS or IRPF level, have been exempted from the application of Section 34 of RPwD. The belief that PwDs cannot perform any of the various duties of the police is prevalent and continues to impose barriers to accessibility. **Lack of uniformity:** Police recruitment rules across states are disparate and follow different levels of reservation (if any)	The provisions of the RPwD Act, 2016, which provide for 4% reservations for persons with disabilities in government establishments should be made explicitly applicable to the police. Specific job-roles that are suitable for persons with disabilities, depending on the type of disability, should be identified and advertised. Recruitment rules may be made standardised, with similar levels of reservations being made available across the country, and accommodations provided to enable persons with disabilities discharge duties in their stated roles. Landmark judgements such as the Ravinder Kumar Dhariwal v. Union of India should be implemented in letter and spirit.

	CHALLENGES	RECOMMENDATIONS
At the Inclusion Mandate Level	**Lack of sensitisation:** While mandates that provide for sensitivity training programs exist, there still remains considerable gaps in the awareness levels of police officers.	Police departments can partner with civil society organisations and others to conduct training drives for its officers to ensure persons with disabilities are treated respectfully whenever they interact with the police. Awareness programs that comply with the standards under the Guidelines for Inclusive Quality Police Services for Persons with Disability need to be conducted for officers. Police officers should be made aware of their duties under the RPwD Act as well as various obligations created under landmark judgements such as Ravinder Kumar Dhariwal v. Union of India.
	Challenges for Accessibility: While modern police stations are mandated to have accessibility features, old stations still do not. Further, these features are often unusable due to lack of maintenance or other barriers.	Police departments must ensure that all of their infrastructure is accessible and maintained in good condition. The Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021 of the Ministry of Home Affairs must be adhered to.

	CHALLENGES	RECOMMENDATIONS
At the Data Level	**Severe Paucity of Data:** Data on the interactions between the police and PwDs are rarely available. Disaggregated data is neither collected nor made public.	Collection and publication of disaggregated data should be emphasised. Data may be collected at various junctures of interaction with the police, such as while filing an FIR, giving a statement, etc. Mandates to require reporting of data on accessibility features and actions taken to support the rights of persons with disabilities should be implemented. Art. 31 of the UNCRPD, which deals with collection of statistical data aimed at creating policies, should be implemented.

Table 4.18: Key takeaways and general recommendations for the Police system in India

5. Disability & Prisons



ToC

5.1. Introduction

INCLUSIVE AND HOLISTIC DATA: AN INDISPENSABLE REQUISITE FOR POLICY REFORMS

Data forms the backbone of effective policy reforms. Global data advocacy efforts and the need for systemic data capturing and reporting are amplified where conditions are harsh. Globally, the prison system has been viewed as one for correction and punishment, creating a harsh, restrictive and closed environment for the incarcerated. In recent times, the perspective on prisons has moved to a more human rights based rehabilitative model for those committing a crime.[155] With shifts in perspectives on crime and the criminal justice system, the importance of data to drive a human rights agenda becomes crucial.

Human rights perspectives cannot ignore the intersections and complex backgrounds from which individuals come.

"The prison system is neither disability-friendly nor disability-responsive."

~Lawyer and Prisons Mental Health Expert

Human rights perspectives go beyond civil and political rights to include social, economic, and cultural rights. Prisoners ("and humans") come from varied intersectional contexts that must be considered in their treatment and accommodations within the prison system.

[155] https://www.apa.org/monitor/julaug03/rehab



Aspects of gender, age, caste, religion, disability status, and education status shape humans and prisoners. "The human rights model focuses on the inherent dignity of the human being and subsequently, but only if necessary, on the person's medical characteristics. It places the individual centrestage in all decisions affecting him/her and, most importantly, locates the main "problem" outside the person and in society."[156]

This creates the need for tracking several data variables to determine the state of individuality and agency afforded to the prisoner. Thus emerge concepts of inclusive and holistic datasets for policy and prison reforms.

PRISON DATA AVAILABILITY: A DISMAL PICTURE

The most recently compiled prison statistics portray efforts towards disaggregation; yet, it fails to provide a holistic picture of marginalised communities or individuals identifying as minorities. The global prison population reached 11.5 million in 2022 with men comprising 94% (10.8 million) and women making up 7% of the total. Asia housed half of the world's prisoners while the Americas ranked second, holding one-third of the total world's prisoners.[157]

India reported 5,73,220 detainees within its prison systems according to the National Crime Records Bureau (NCRB) data,[158] 2022, with 5,49,351 (95.83%) male prisoners and 23,772 (4.14%) female prisoners. Of the total, 4,34,302 prisoners are undertrials – accounting for 75-76% of the total detainees in prisons in India.

While data on prisoners is available for categories such as caste and gender, with two-thirds of prisoners in India belonging to marginalised caste groups

[156] https://www.ohchr.org/sites/default/files/Documents/Publications/HRDisabilityen.pdf
[157] https://www.unodc.org/documents/data-and-analysis/briefs/Prison_brief_2024.pdf
[158] https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/psiyearwise2022/1701613297PSI2022ason01122023.pdf

and 97 inmates under the transgender category, **there is no official data on persons with disabilities in prisons, apart from those with mental illness.**

As per NCRB 2022, 9,180 prisoners suffer from a mental illness of which 41.3% are convicts and 58.4% are undertrials. On occasion, visual impairment and physical disabilities are recognised in practice.[159] Global reports on prisoners with disabilities show 0.5-1.5% diagnosed with intellectual disabilities and are recognised as being over-represented in prisons worldwide.[160] In 2016, two in five prisoners in the United States reported having a disability, with 66% of them overall considered to be persons with disabilities.[161] Cognitive disability was most prevalent, followed by locomotor/ ambulatory and visual impairments; 40% have psychiatric disabilities (high reports of bipolar, depressive, and anxiety disorders) and 60% have non-psychiatric disabilities (cognitive and ADHD – high prevalence).[162]

However, even globally, there is insufficient data on other types of disabilities due to lack of standardised data collection methods and varying definitions of disability - leaving little room for comparable/comparative statistics and universalisation in data collection processes.

The absence of comprehensive and disability inclusive data in prison systems is a critical barrier to ensuring equitable and humane treatment of prisoners with disabilities.

[159] Report on the accessibility rights in the prisons, Prof. Murali Karnam, Access to Justice Program, NALSAR University of Law
[160] https://pubmed.ncbi.nlm.nih.gov/18644624/
[161] https://bjs.ojp.gov/library/publications/disabilities-reported-prisoners-survey-prison-inmates-2016
[162] https://www.healthaffairs.org/doi/10.1377/hlthaff.2022.00495

CONDITIONS IN PRISONS POSE ADDITIONAL HARDSHIPS FOR PERSONS WITH DISABILITIES

Prisoners face different health-related challenges due to confinement. These include mental illness, chronic non-communicable diseases such as cardiovascular conditions, hypertension, diabetes, and infectious diseases such as HIV, tuberculosis and hepatitis.[163]

Prisoners with disabilities face unique and compounded challenges within prison environments. Notably, the challenges persons with disabilities face in society are amplified within prisons due to the closed, restrictive environment, and related issues such as overcrowding, poor sanitation, lack of practice of healthy behaviours, inadequate prisoner classification, insufficient supervision, violence and solitary confinement.

Studies reveal that prisoners with disabilities are particularly vulnerable to neglect and psychological abuse by others (either by fellow inmates or by prison authorities) within the prison settings.[164]

[163] https://pmc.ncbi.nlm.nih.gov/articles/PMC6505320/#:~:text=The%20elevated%20risk%20of%20poor,after%20and%20years%20after%20release.&text=In%20general%2C%20incarceration%20is%20associated,persons%20than%20for%20black%20persons.&text=That%20is%2C%20women%20with%20a,rate%20than%20nonincarcerated%20black%20men.

[164] Report on the accessibility rights in the prisons, Prof. Murali Karnam, Access to Justice Program, NALSAR University of Law

AN OVERVIEW OF SOME RELEVANT CASES ON TREATMENT OF PRISONERS WITH DISABILITIES IN INDIA[165]

Mrs. Veena Sethi v. State of Bihar and Ors (AIR 1983 SC 339)

SUPREME COURT; AIR 1983 SC 339

Issue: Sixteen mentally ill prisoners were detained for over 25 years in Bihar's Hazaribagh jail thus raising serious questions about the violation of their fundamental rights, particularly right to life and personal liberty guaranteed under Article 21 of the Constitution of India.

Ruling: The Supreme Court ruled that mental illness should not justify indefinite incarceration and the Court ordered their immediate release and directed the state government to provide them with necessary funds for their journey back home and initial maintenance.

Impact: Exposed inhumane detention of prisoners with mental disabilities and set a precedent for reforms. This case also reinforced the state's duty to ensure these rights are not violated, even for those deemed "dangerous" or of unsound mind.

Rama Murthy v. State of Karnataka

SUPREME COURT; AIR 1997 SC 1739

Issue: Bangalore jail conditions were challenged in court for lacking medical facilities for mentally ill prisoners. The grievances also included denial of rightful wages for work done by prisoners, substandard food quality, instances of mental and physical torture and general issues of overcrowding and inadequate sanitation.

Ruling: The Supreme Court reiterated that prisoners do not cease to be human beings and continue to enjoy their fundamental rights, including the right to life and personal liberty under Article 21, albeit with reasonable restrictions necessitated by their incarceration and directed the central government and state governments to take appropriate decisions on the recommendations made by the Law Commission of India in its 78th Report regarding prison reforms within six months.

[165] https://ijme.in/articles/prison-systems-must-embrace-disability-rights-as-a-human-rights-imperative/?galley=html

Impact: The Supreme Court's call for a new Prison Act and a Model Jail Manual paved the way for discussions and efforts towards updating the legal framework governing prisons and introducing more humane and reformative practices. The Model Prison Manual 2016 is a significant step in this direction, drawing heavily from the principles laid down in this and other similar cases.

Charanjit Singh And National Human Rights Commission v. State and Ors.

SUPREME COURT; 2005 ILR 1 DELHI 760

Issue: The case questioned whether the state of Punjab was fulfilling its constitutional duty to protect the life and liberty (Article 21) of all prisoners, especially those most vulnerable due to mental illness, and whether the existing prison system adhered to principles of humane treatment and dignity.

Ruling: The Supreme Court mandated the state government to take immediate and concrete steps to address the issues raised, including:

- Providing adequate medical facilities and ensuring regular visits by qualified psychiatrists and other medical professionals to all jails
- Establishing separate wards or institutions for the care and treatment of mentally ill prisoners, with appropriate infrastructure and trained staff
- Conducting regular medical examinations of all prisoners to identify those with mental illness and provide them with necessary treatment
- Reviewing the cases of all prisoners who had been declared fit for discharge by medical boards and ensuring their immediate release
- Taking steps to reduce overcrowding in jails and improve sanitation and hygiene
- Ensuring proper implementation of existing rules and guidelines related to the treatment of prisoners

- Submitting periodic reports to the Court on the progress made in implementing these directions

The Court acknowledged the crucial role played by the NHRC in bringing these issues to light and directed the state government to cooperate fully with the Commission in monitoring the implementation of the Court's directions.

Impact: This case was a landmark judgement that directly addressed the grave human rights violations occurring within the prisons of Punjab, particularly concerning the treatment of mentally ill prisoners. The Supreme Court's proactive intervention and specific directions aimed at ensuring the fundamental rights and dignity of this vulnerable population, setting a crucial precedent for prison reform and the protection of prisoners' rights across India.

G. N. Saibaba v. State of Maharashtra Thr. Pso Aheri 2024 Latest Case law 7006 Bom

BOMBAY HIGH COURT; CRIMINAL APPEAL NO. 136 OF 2017

Issue: Delhi University professor GN Saibaba (a wheelchair user with 90% disability) was imprisoned for alleged terrorism. He was denied a wheelchair for 8.5 years and suffered from severe health issues including heart problems and multiple infections.

Ruling: Initially acquitted in 2022, but the acquittal was challenged and suspended. He was finally released in 2024. The Court overturned the previous conviction by the trial court, primarily citing procedural lapses and the inadmissibility of crucial evidence.

Impact: Showed systemic neglect of prisoners with disabilities, including lack of accessible facilities and medical care.

Father Stan Swamy v. The State of Maharashtra and Anr (Order dated May 28, 2021)

BOMBAY HIGH COURT; CRIMINAL APPEAL NO. 444 OF 2021

Issue: The 84-year-old tribal rights activist had Parkinson's disease and required a straw and sipper to drink water. Prison authorities denied him access to these basic aids.

Ruling: The Bombay High Court passed an order directing the Maharashtra state prison authorities to shift him from Taloja Central Prison to the Holy Family Hospital in Bandra, Mumbai, for medical treatment. Tragically, despite the medical attention received at the Holy Family Hospital, Father Stan Swamy's health continued to decline, and he passed away on July 5, 2021, while still in judicial custody.

Impact: Sparked public outrage and highlighted India's failure to provide reasonable accommodation in prisons.

Sukanya Shantha v. Union of India & Ors.

SUPREME COURT; W.P. (C) NO. 1404/2023

Issue: Raised concerns over caste-based discrimination in prison labour assignments, disproportionately affecting inmates with disablities and from marginalised communities—particularly denotified tribes and habitual offenders with physical/mental disabilities.

Court's action: The Supreme Court Struck down discriminatory prison rules as unconstitutional (violating Articles 14, 15, 17, 21, and 23). Directed reform of prison manuals and encouraged use of legal services authorities (LSAs) and PLVs to safeguard inmate rights.

Impact: Marked a major step toward disability-inclusive prison reform, pushing for access to legal aid and protection of the dignity of prisoners with disabilities.

OVERCROWDING COMPOUNDS ISSUES FACED BY PERSONS WITH DISABILITIES

In 60% countries worldwide, prisons on average operate at or over 100% of their planned capacity. Approximately one in four countries worldwide operate at over 150% of their intended capacity, and in India overcrowding in prisons stands at 131% (on average).[166]

Overcrowding exacerbates disability-related difficulties as it leads to neglect, heightened psychological stress and inadequate medical care.

Illustration: Tihar Jail (South Asia's largest prison complex) has 10,000 prisoners housed in a facility designed for 6,000. An RTI response has disclosed that Tihar Jail lacks basic facilities for inmates with disabilities as well as those who are ailing. The prison contains an insufficient number of wheelchairs, and many of those available are damaged. Further, there are no provisions to support inmates with speech, hearing, or visual disabilities, such as ramps, accessible toilets, or assistance from external attendants. Among the inmates, 576 have psychiatric disorders, most of whom are under trials, highlighting the pressing need for improved care and facilities.[167]

SPECIFIC FORMS OF PUNISHMENT EXACERBATE PERSONS WITH DISABILITIES

Prolonged solitary confinement can compound existing disabilities and has severe psychological, psychiatric and physiological consequences, often increasing the risk of self-harm and suicide.[168]

Imprisonment imposes disproportionately severe punishments on offenders with disabilities, often worsening their conditions while placing a substantial strain on the prison system's resources.[169]

[166] https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/psiyearwise2022/1701613297PSI2022ason01122023.pdf
[167] https://www.rtifoundationofindia.com/poor-facilities-disabled-and-ill-tihar-jail-reveal-1871
[168] https://ijme.in/articles/prison-systems-must-embrace-disability-rights-as-a-human-rights-imperative/?galley=html
[169] https://www.unodc.org/pdf/criminal_justice/Handbook_on_Prisoners_with_Special_Needs.pdf

LEGISLATIVE AND HUMAN RIGHTS CONVENTIONS ON PROTECTING THE RIGHTS OF PRISONERS

International Conventions and Guidelines on Disability Rights[170]

1. United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), 2006

The UNCRPD is the first legally binding international treaty focused on disability rights. India signed the convention in 2007 and later ratified it, committing to protect the rights and dignity of all persons with disabilities including those undergoing criminal prosecution, detainees and prisoners.[171]

Article 9: Ensures accessibility in public spaces, including prisons
Article 14: States that individuals with disabilities should not be arbitrarily deprived of liberty, and if detained, they must have reasonable accommodations
Article 15: Protects against torture and inhumane treatment in detention
Article 17: Guarantees protection of physical and mental integrity of persons with disabilities

Despite India's ratification of the UNCRPD, the Model Prisons and Correctional Services Act, 2023,[172] does not explicitly address disability rights in prisons. Most prison manuals do not reflect the guidelines for the treatment and inclusion of prisoners with disabilities per the Model Prison Manual, 2016.[173]

2. Nelson Mandela Rules (2015) – UN Standard Minimum Rules for the Treatment of Prisoners

The Nelson Mandela Rules[174] emphasise that prisoners with disabilities must receive reasonable accommodations. The ones applicable to our context are mentioned below:

[170] https://rfppl.co.in/subscription/upload_pdf/5-13-1727936168.pdf
[171] https://www.unodc.org/pdf/criminal_justice/Handbook_on_Prisoners_with_Special_Needs.pdf
[172] https://www.mha.gov.in/sites/default/files/2024-12/ModelPrisonsCorrectionalServicesAct_20122024.pdf
[173] https://www.mha.gov.in/sites/default/files/2024-12/PrisonManualA2016_20122024.pdf
[174] https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf

Select Nelson Mandela Rules

Rule	Principle
Rule 1	All prisoners shall be treated with respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman, or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers, and visitors shall be ensured at all times.
Rule 2.2	In order for the principle of non-discrimination to be put into practice, prison administrations shall take account of the **individual needs of prisoners**, in particular the most vulnerable categories, in prison settings. **Measures to protect and promote the rights of prisoners with special needs are required and shall not be regarded as discriminatory.**
Rule 5.2	**Prison administrations shall make all reasonable accommodations and adjustments to ensure that prisoners with physical, mental, or other disabilities have full and effective access to prison life on an equitable basis.**
Rule 13	All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.
Rule 24.1	The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status
Rule 39.3	**Before imposing disciplinary sanctions, prison administrations shall consider whether and how a prisoner's mental illness or developmental disability may have contributed to his or her conduct and the commission of the offence or act underlying the disciplinary charge. Prison administrations shall not sanction any conduct of a prisoner that is considered to be the direct result of his or her mental illness or intellectual disability.**

Rule 45.2	**The imposition of solitary confinement should be prohibited in the case of prisoners with mental or physical disabilities** when their conditions would be exacerbated by such measures. The prohibition of the use of solitary confinement and similar measures in cases involving women and children, as referred to in other United Nations standards and norms in crime prevention and criminal justice continues to apply.
Rule 55.2	**Prisoners with sensory disabilities should be provided with information in a manner appropriate to their needs.**
Rule 61.3	Prisoners should have access to effective legal aid.
Rule 76.1 (d)	**Training, referred to in paragraph 2 of rule 75 shall include, at a minimum, training on:** **First aid, the psychosocial needs of prisoners and the corresponding dynamics in prison settings, as well as social care and assistance, including early detection of mental health issues.**
Rule 109	• Persons who are found to be not criminally responsible, or who are later diagnosed with severe mental disabilities and/or health conditions, for whom staying in prison would mean an exacerbation of their condition, shall not be detained in prisons, and arrangements shall be made to transfer them to mental health facilities as soon as possible. • If necessary, other prisoners with mental disabilities and/or health conditions can be observed and treated in specialized facilities under the supervision of qualified health-care professionals. • The health-care service shall provide for the psychiatric treatment of all other prisoners who are in need of such treatment.

Table 5.1: Select Nelson Mandela Rules

However, in India, cases like GN Saibaba and Father Stan Swamy have exposed severe medical neglect of prisoners with disabilities.

3. Principles of Medical Ethics (UN, 1982)

These UN principles prohibit medical personnel from participating in torture or inhumane treatment of prisoners. They also require equal access to healthcare for all detainees.

In India, medical neglect is a recurring issue. The Bhagalpur Blinding Case (1980s), where police poured acid into prisoners' eyes, and the GN Saibaba case (2014–2024), where he was denied a wheelchair and medical care, highlight serious violations of principles of the Mandela Rules and Medical Ethics.

4. Bangkok Rules (2010) – UN Rules for the Treatment of Women Prisoners

The Bangkok Rules provide specific protections for women prisoners, including those with disabilities. Rule 6 mandates that women with disabilities in prison must receive adequate support services. India has no official data on women prisoners with disabilities, leaving them invisible in policy reforms.

INDIAN LEGAL AND POLICY MEASURES FOR PRISONERS WITH DISABILITIES[175]

1. Constitution of India (Fundamental Rights & Protections)

Article 14: Guarantees equality before the law and protection from discrimination
Article 21: Protects the right to life and dignity, which extends to prisoners, including those with disabilities

Article 39A: Ensures equal access to justice, but many disabled prisoners lack legal representation due to poverty and lack of accessible court procedures

Despite these constitutional safeguards, their application in prisons remains weak.

[175] https://rfppl.co.in/subscription/upload_pdf/5-13-1727936168.pdf

2. Rights of Persons with Disabilities Act, 2016 (RPwD Act)

India passed the RPwD Act in 2016 to comply with UNCRPD mandates. This law expanded the definition of disability to include 21 categories, such as mental illness, Parkinson's disease and cerebral palsy.

India's , RPwD Act and Mental Healthcare Act fail to explicitly address the rights of prisoners with disabilities, leaving a legal gap that contributes to systemic neglect in jails.

3. Mental Healthcare Act, 2017 (India's Alignment with UN Standards)

India's Mental Healthcare Act, 2017, was enacted to align with UNCRPD principles, ensuring that persons with mental disabilities are not arbitrarily detained.

GOOD PRACTICES: GLOBAL CITATIONS OF PRACTICES THAT OFFER PRISONERS WITH DISABILITY THEIR CONSTITUTIONAL TREATMENT

International Best Practices for Disability Inclusive Prisons[176]

Prison Accessibility and Support:

- **USA:** The Americans with Disabilities Act (ADA), 1990, requires correctional facilities to be accessible to all However, the Department of Justice receives around 1,600 complaints annually from inmates alleging disability-related discrimination.

In response, *the Justice Project* was launched in 2004 to address these complaints. It has not only influenced broad prison programs at the state level but also secured relief for numerous individual inmates.[177] The U.S. Department of Justice published a program statement, *"Management of Inmates with Disabilities,"* in 2019 to ensure accommodations for persons with

[176] https://ijme.in/articles/prison-systems-must-embrace-disability-rights-as-a-human-rights-imperative/?galley=html

[177] https://archive.ada.gov/newsltr0208.htm#Anchor-DEPARTMENT-44867

disabilities in prisons through measures such as online staff training, detailed screening procedures and the establishment of specialised committees for education, recreation and healthcare. The report states, *"Accommodation needs vary from person to person, and therefore must be individualised."*[178]

- **United Kingdom:** The UK's prison service, in collaboration with the NGO Prison Reform Trust, has introduced an information package tailored for incarcerated individuals with disabilities.[179] The information package is distributed to all inmates with disabilities upon admission to the facility.

- **Netherlands:** Implemented strict suicide prevention policies, including special training for prison staff.[180]

- **Australia:** Runs peer support programs to prevent suicide and self-harm, where trained prisoners assist inmates with disabilities. In Mount Gambier Prison, South Australia, specially trained prisoners provide 24/7 support to their peers.[181]

- **WHO Medical Ethics Principles:** Denial of medical aid is a violation of human rights. Prisoners must receive the same medical care as the general public.[182] Principle 1 : Health personnel, particularly physicians, charged with the medical care of prisoners and detainees have a duty to provide them with protection of their physical and mental health and treatment of disease of the same quality and standard as is afforded to those who are not imprisoned or detained.

- **World Medical Association (WMA) Guidelines:** The WMA guidelines declaration principles states that, "Prisoners enjoy the same health care rights as all other people. This includes the right to humane treatment and appropriate medical care. The standards for the treatment of prisoners have been set down in a number of Declarations and Guidelines adopted by various bodies of the United Nations."[183, 184] Solitary confinement should not exceed 15 days, as it can cause severe psychological damage.[185]

[178] https://www.bop.gov/policy/progstat/5200_06.pdf
[179] https://prisonreformtrust.org.uk/wp-content/uploads/2021/11/disability-pib-20171lo.pdf
[180] https://www.ojp.gov/ncjrs/virtual-library/abstracts/prevention-suicides-penal-institutions-netherlands
[181] https://ijme.in/articles/prison-systems-must-embrace-disability-rights-as-a-human-rights-imperative/?galley=html
[182] https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-medical-ethics-relevant-role-health-personnel#:~:text=Principle%206-,Principle%201,are%20not%20imprisoned%20or%20detained.
[183] https://www.wma.net/policies-post/wma-declaration-of-edinburgh-on-prison-conditions-and-the-spread-of-tuberculosis-and-other-communicable-diseases/d-2000-01-2011_ove/
[184] https://www.wma.net/policies-post/wma-declaration-of-edinburgh-on-prison-conditions-and-the-spread-of-tuberculosis-and-other-communicable-diseases/#:~:text=Persons%20deprived%20of%20liberty%20(%E2%80%9Cprisoners,treatment%20and%20appropriate%20medical%20care.
[185] https://www.wma.net/policies-post/wma-statement-on-solitary-confinement/

COVID-19 Pandemic Reforms:

- **Turkey, Iran, Philippines, India, Iraq, Ethiopia** released >40,000 prisoners during the pandemic. France and Norway released 15% of their prison population. Many countries had different responses releasing prisoners to home confinement or other arrangements.[186]

- **Brazil:** Recommended releasing disabled and juvenile prisoners due to health risks.[187]

[186] https://theconversation.com/more-than-a-million-prisoners-have-been-released-during-covid-19-but-its-not-enough-170434
[187] https://pmc.ncbi.nlm.nih.gov/articles/PMC10733772/

5.2. Methodology

The study employed primary and secondary research methods to understand the availability of data in the access to justice sphere for persons with disabilities. Secondary research helped inform the main body of the work, while primary research through in-depth interviews provided a holistic understanding of the challenges of the system in providing justice and upholding the rights of persons with disabilities. To validate the availability of data or the lack of it based on secondary desk research, RTIs were filed to different departments across states and UTs.

The research methods employed are detailed below.

A. SECONDARY DESK RESEARCH

Our findings were informed through secondary desk research on mandates for inclusion, mandates for data and availability of data on persons with disabilities within the prison system. These aspects were analysed using the following framework (Figure 5.1).

The Framework of Analysis :

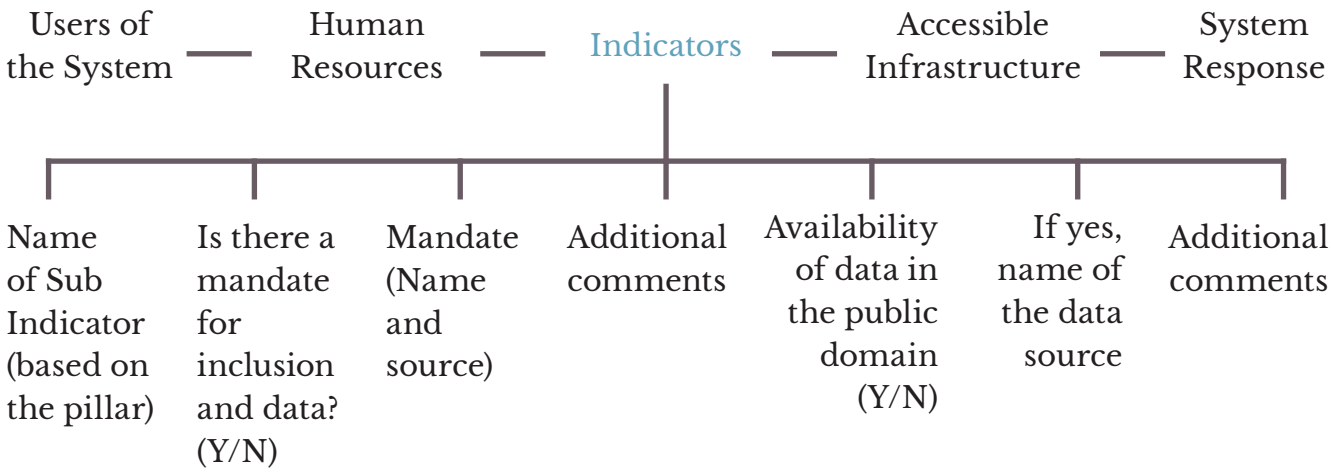


Figure 5.1: The framework of analysis

The framework included four indicators namely, human resources, accessible infrastructure, users of the system, and system response. Each indicator has one or more sub-indicators. The number of sub-indicators chosen for the prison system per category of indicators along with the details of sub-indicator/s is given in Table 5.1.
All states and union territories of India were included in the analysis.

What was considered as mandates of inclusion and mandates of data?

A mandate must be legally enforceable

- **Central Acts and Rules: The Rights of Persons with Disabilities (RPwD) Act, 2016,[188] along with its Rules[189]**
- **State Acts and Rules pertinent to the relevant pillar across the four identified categories and include a clause on protecting the rights of persons with disabilities**

****Acts and Rules were considered when they mandated affirmative action of the number of persons with disability in employment opportunities, provision of reasonable accommodations, and/or systematically addressing the needs of the person with disability by appointment of relevant personnel. Further, any Act or Rule that mandated data collection/ recording/reporting on the above criteria was included.**

Mandates for inclusion and data pertaining to persons with disabilities under prisons

'Prisons' are a state subject under the Seventh Schedule, Constitution of India. Therefore, each prison is governed by the state-specific prison acts, rules, and/or manuals. Where the states have not formulated state-specific prison acts, the prisons continue to be governed by the Prisons Act, 1894. To revise the Prisons Act, 1894, the Ministry of Home Affairs, in May 2023, released the Model Prisons and Correctional Services Act ("Model Prisons Act")[190] to serve as the guiding document for adoption at the state level.[191] Therefore, while not a data mandate, the Model Prisons Act has been considered as an indicator for states for compliance in this report.

[188] https://cdnbbsr.s3waas.gov.in/s3e58aea67b01fa747687f038dfde066f6/uploads/2023/10/2023101610539589 42.pdf
[189] RPwD Act, 2016 prevailed when there were no State exemptions for persons with disabilities. For example, unless the 4% reservation for persons with disabilities is exempt for a certain post, the RPwD Act 2016 Section 34 applied.
[190] Model Prisons and Correctional Services Act, 2023, https://www.mha.gov.in/sites/default/files/advisory_10112023.pdf.
[191] Press Release, Ministry of Home Affairs, https://pib.gov.in/PressReleasePage.aspx?PRID=1923682.

What was considered as available data pertaining to persons with disabilities under prisons?

Data against these mandates must be

- published by the government (i.e. a government source or state data)
- publicly available
- systematically reported on a consistent data point
- published post 2016 (i.e., within the last seven years of the enactment of the RPwD Act, 2016)

Indicators and Sub-Indicators for Analysis of Disability Inclusion in the Prison System

Category of Indicator	No. of Sub-Indicators	Sub-Indicator
Users of the System	**1**	• *Number of prisoners with disabilities in state prisons*
Human Resources	**1**	• *Number of prison staff with disabilities in state prisons*
Accessible Infrastructure	**7**	• *Number of ramps within the prison* • *Number of accessible toilets for prisoners or prison staff with disability* • *Number of prisoners or prison staff using prosthetics or orthotics* • *Number of assistive devices within the prison* • *Number of vehicles with accessible features for prisoners with disabilities* • *Number of other reasonable accommodation facilities within the prison* • *Number of computers or devices with digital infrastructure that enable accessibility*
System Response	***5***	• *Number of interpreters, translators, and support staff for persons with disabilities within the system* • *Number of annual training/sensitisation/awareness programs for staff regarding persons with disabilities within the prisons*

System Response	*5*	• *Number of specialised medical personnel a. physical, occupational and speech therapists, and b. psychologists visiting prisoners with disabilities* • *Number of specialised rehabilitation programs for reintegration into society post-release (such as looking for livelihood opportunities and living independently post-disability)* • *Number of accessible recreational facilities that enable prisoners with disabilities to participate*

Total sub-indicators considered for Prisons: 14
Table 5.2: Details of Sub-Indicators Per Indicator in Prisons

The review was conducted over a period of four months, from February 2024 to June 2024. Secondary literature review on judicial pronouncements was completed in March 2025. Mandate and data availability for every state and UT was mapped per sub-indicator in each indicator. Where mandates were unavailable, guidelines and other directives were noted under additional comments. Additionally, data that did not meet the defined criteria, such as one-off data points, anecdotal references, data in annual reports, judgements, court orders and parliamentary answers were noted. The exercise was done on Microsoft Excel and data was compiled manually against the framework to draw broad conclusions.

B. FILING OF RTIS

RTIs were filed to the appropriate ministries and departments to enquire about the availability of data relating to persons with disabilities across India's prison system. The questions are documented in **Annexure 2A: RTI Questions (Prisons).** The questions listed focused on the presence of staff members with disabilities in prisons in the states, prisoners with disabilities in the state, the presence of ramps and accessible toilets in prisons, provision of assistive devices to prisoners with disabilities and accessible vehicles for their transportation to courts, other special accommodations provided, the availability of support staff and whether sensitisation and rehabilitation programs are conducted in prisons. A total of **38 RTIs**, including one to each state/

UT Prisons Departments and one each to the Ministry of Home Affairs and National Crime Records Bureau (NCRB), were filed over a period of one month in 2024. A profile of RTI responses received is provided in **Annexure 2B: RTI Responses (Prisons). We received a total of one hundred and twenty seven responses (127)** Specific responses that carry data insights are embedded in the report under the relevant sections.

The RTI exercise revealed much information but it certainly came with limitations. One common limitation was that not all parties engaged with or answered the specific questions asked. Further, some responses did not directly answer the questions asked. In cases where answers were provided, qualitative insights are missing as they were outside the scope of the questions framed in the RTIs.

C. QUALITATIVE INTERVIEWS

We conducted in depth interviews with the following experts:

- Three former-prisoners- Through Project Second Chance, New Delhi
- Ms. Maitreyi Misra – Executive Director, Project 39A, NLU, New Delhi

The experts were asked about how disability featured within the prison system, perceptions of the system and attitudes towards disability, the state's readiness to cater to persons with disabilities within the system across the four identified categories, current practices for data collection on persons with disabilities and system data reporting mechanisms to the state. Experts were also probed on attitudes of the system to data and opportunities for better data collection on persons with disabilities. Most interviews were conducted online and took between 45-60 mins. All interviews were recorded and extracts to support findings were taken.

5.3 Data Narrative for Inclusion of Persons with Disabilities in the Prison System

INDICATOR 1 - **Users of the System : Persons with disabilities as justice seekers in the prison system**

INDICATOR 2 - **Human Resources: Persons with disabilities as justice providers in the prison system**

INDICATOR 3 - **Accessible infrastructure: Physical and digital accessibility and inclusion within the prison system**

INDICATOR 4 - **System response: Disability awareness and disability responsiveness of the prison system**

INDICATOR 1 - Users of the System : Persons with disabilities as justice seekers in the prison system

Summary of findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
1.1 Prisoners with disabilities in state prisons	Centre ○ State ○	Centre ○ State ◐	◐

Figure 5. 2: Summary of findings on persons with disabilities in the prison system

KEY ● Yes ◐ Partial ○ No

AVAILABLE PUBLIC DATA:

Number of Prisoners with Mental Health Issues

Prison Statistics of India reported 9,084 mentally ill prisoners in different jails as of December 2022.[192]

[192] Prison Statistics of India, 2022, National Crime Records Bureau, Ministry of Home Affairs, https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/psiyearwise2022/1701613297PSI2022ason01122023.pdf

1.1 Prisoners with Disabilities in State Prisons



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF PRISONERS WITH DISABILITIES IN STATE PRISONS

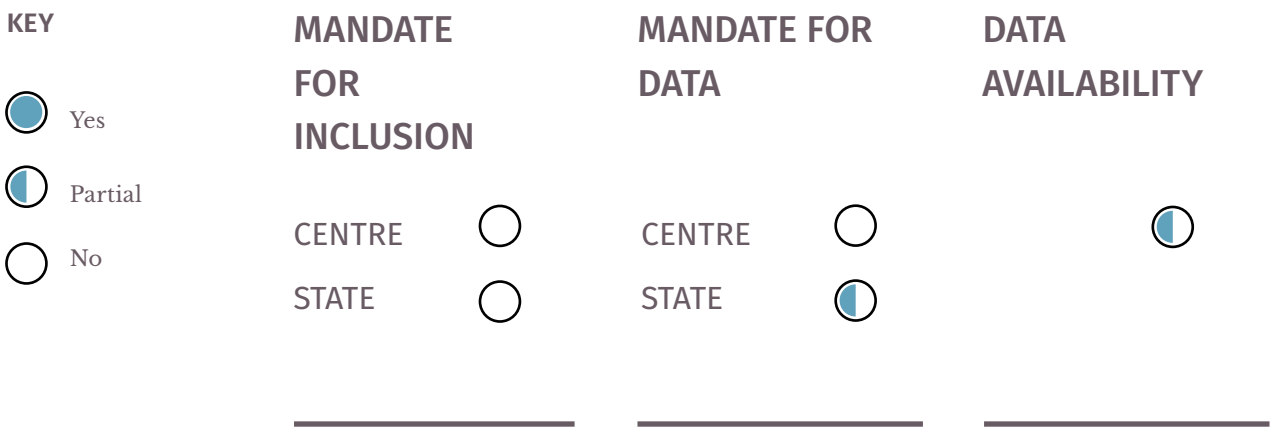


Figure 5.3: Inclusion mandate, data mandate and data availability on prisoners with disabilities



THE DATA STORY

What did we consider as a data point on users of the prison system:

We considered persons who have entered the prison with a physical or mental disability or acquired a physical or mental disability within the prison. (We have included references to 'differently-abled,' 'infirm,' and 'specially-abled' persons as mentioned in State/UT Prisons Act and Rules to mean a person with a disability).

Mandates on Prisoners with Disabilities in the Prison System

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	No Mandate	NA
State	**Mandates on recording health status of the prisoner** 27[193] states mandate recording the health status of the prisoner upon entering the prison	The prison administration records the health status of the prisoner upon entering the prison. Such health status is recorded in the history ticket of a prisoner or the convict register by the medical officer. Typically, health status includes the physical and mental status of an individual. Therefore, it is presumed that while recording the health status of a prisoner, the appropriate authority (mostly the medical officer) will record any mental or physical disability of the prisoner. However, the Rules do not explicitly define 'health status' or provide details on information to be captured under health status.
	Mandates on recording disability status of the prisoner **Rule 1876** (Goa), **Rule 690**(ii) (Uttarakhand) and **Rule 1827** (Delhi)	"The Superintendent shall maintain records of the prisoners with disabilities and enter all the necessary information regarding their disability on the history ticket."

[193] Andhra Pradesh, Assam, Bihar, Chandigarh, Chattisgarh, Delhi, Goa, Gujarat, Haryana, Jammu & Kashmir, Karnataka, Kerala, Ladakh, Madhya Pradesh, Meghalaya, Mizoram, Nagaland, Puducherry, Punjab, Odisha, Rajasthan, Sikkim, Telangana, Tripura, Uttarakhand, Uttar Pradesh, West Bengal.

MANDATE LEVEL	MANDATE	DESCRIPTION
State	**Mandates on recording mental illness status or lunacy of the prisoner** Seven states mandate recording mental health status of prisoners	**Mandates to maintain data on lunatic prisoners:** Assam, Meghalaya and Nagaland **Mandates to keep records on mentally ill prisoners:** Haryana, Odisha and Karnataka **Mandate to study health status of prisoner before his classification at the time of admission in prison:** Ladakh[194]

Table 5.3: Mandates on prisoners with disabilities in the Prison system

A lack of comprehensive recording of disability status

By type of disability

Disability status for the purpose of chapters on "Differently-abled prisoners" in Delhi, Goa and Uttarakhand has been defined to include physical disabilities (i.e. blindness, low vision, hearing impairment and locomotor disability). This limits the mandate to recording only four disabilities in the history ticket. This is not an inclusive definition, as it does not account for all the 21 types of disabilities recognised under the RPwD Act.

By temporality

No state/rules have a mandate to record data on prisoners who acquire disability after entering the prison system. However, some state manuals have provisions for compensation to prisoners who acquire physical or mental disability during their work in the prison.

[194] 16.02, Ladakh Prison Manual

Is data available?

The Prison Statistics of India publishes data on mentally ill prisoners for all states.[195] This dataset does not make a distinction between prisoners who have entered the prison with mental illness and those who have acquired such illness within prisons.

Number of Prisoners with Mental Health Issues
Prison Statistics of India reported 9,084 mentally ill prisoners in different jails as of December 2022.[196]

There is no publicly available comprehensive dataset on prisoners with physical and mental disabilities. In 2015, the Bihar Legal Services Authority released a status report on prisons in the state of Bihar that provides information on mentally ill and handicapped prisoners in Bihar.[197]



RTI data: Prisoners with disabilities

Total number of prison responses: 127
Out of 97 prisons that responded to the question on the number of persons with disabilities among inmates, only about 54% provided valid responses, while 45% marked the question as "Not Applicable," limiting the strength to draw a conclusion and reflecting the gaps in data availability. Among the valid responses, 32% prisons reported having prisoners with disabilities, whereas almost 68% stated they had none.

The 17 prisons that house prisoners with disabilities, spread across four states, reported a total of 109 inmates with disabilities—105 male and four female. Of these, 65% were identified as having a disability prior to incarceration. Most of the inmates with disabilities were reported to have physical disabilities, particularly locomotor disability (See table RTI Table 2B.2 in Annexure 2B).

[195] Prison Statistics of India, 2022, National Crime Records Bureau, Ministry of Home Affairs, https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/psiyearwise2022/1701613297PSI2022ason01122023.pdf.
[196] Prison Statistics of India, 2022, National Crime Records Bureau, Ministry of Home Affairs, https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/psiyearwise2022/1701613297PSI2022ason01122023.pdf
[197] Prisons of Bihar, Status Report - 2015, Bihar State Legal Services Authority, https://himachal.nic.in/WriteReadData/l892s/240_l892s/bihar-prison-report-1-38321799.pdf.

KEY FINDINGS ON INCLUSION OF AND DATA ON PRISONERS WITH DISABILITIES

A Lack of awareness of disabilities, underdiagnosis, underreporting and non-recognition of ill treatment of prisoners create problems in accurate data collection on the number of prisoners with disabilities.

Within the prison system, prisoner health conditions that are severe, such as depression, intellectual disability or neurological disability often go unnoticed, and therefore, are unaccounted for. Prison authorities require prisoners to declare their disabilities, presuming knowledge of disability by the prisoners, and as such prisons do not have any screening facilities for disability.

Misdiagnosis, underdiagnosis and non-diagnosis exposes prisoners to violence, thereby deteriorating their physical and mental health. Additionally, traumatic experiences within the prison lead to prisoners suffering from mental health conditions. Such prisoners are termed as 'paagal' and not given adequate support within the prison, leading to a greater invisibility on the burden of disability within the system.

RECOMMENDATIONS TO IMPROVE DATA INCLUSION ON PERSONS WITH DISABILITIES AS JUSTICE SEEKERS IN THE PRISON SYSTEM

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Lack of data on prisoners with disabilities	Data on prisoners with disabilities should be captured in a format disaggregated by disability, gender and mode of acquisition of disability (if acquired during their imprisonment). The recording of disability type must be in line with the RPwD 2016 definitions.	1. DG/IG of Prisons 2. Medical officers in jail complexes

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Lack of clarity/ consistency in the practise of capturing disability status upon admission of prisoners	1. The history ticket or convicts register capturing health status should have a placeholder for physical and mental disability 2. A standardised health screening form may be recommended under the prison rules. Where such forms have been recommended, the form should require the details on physical and mental disability to be captured explicitly. For instance, the Proforma for Medical Screening of Prisoners on Admission to Jails[198] issued by the National Human Rights Commission (NHRC) can explicitly provide for recording physical and mental disability of the prisoner.	1. Ministry of Home Affairs 2. State Prison Departments
No mandate to record data of prisoners who have acquired disability within the prison	1. Data of prisoners who have acquired a disability within the prison should be maintained by the prison authorities 2. Such data can be collected through systematically monitoring the health status of prisoners to record if a prisoner has acquired any disability, especially mental health concerns 3. Where a mandate on compensation to prisoners who acquire disability (if acquired during their imprisonment) is available, a record of such prisoners who have been provided such compensation will be valuable.	Prison authorities and prison staff such as jailors and medical officers

[198] The Proforma for Medical Screening of Prisoners on Admission to Jails, National Human Rights Commission, https://nhrc.nic.in/sites/default/files/Medical%20Examination%20of%20Prisoners%20on%20Admission%20to%20Jail.pdf

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Lack of facilities for screening mental disabilities leads to underreporting of prisoners with disabilities	Prison authorities such as jailors, administrative, medical and other correctional staff[199] should be equipped with appropriate facilities to enable screening, symptom recognition, timely referrals, appropriate diagnosis, monitoring and treatment of mental disabilities. Refer to the NHRC advisory on prevention of self harm and suicide and the NIMHANS report on mental health care in prisons.[200,201] The Mental Health Act, 2017, National Mental Health Policy 2014, and the Ayushman Bharat 2018 Scheme emphasise the right to access affordable mental health care, which can be extended to the prison system through appropriate linkages.	1. Prison authorities and prison staff such as jailors, administrative staff, other medical and correctional staff, medical officers. 2. Mental health professionals (from different state-run/funded institutions) to train different stakeholders on screening prisoners for mental illnesses

Table 5.4: Recommendations to improve inclusion of and data availability on persons with disabilities in the Prison system

"Numbers look minuscule because there is no diagnosis. Nobody is trained to identify a disability, it's about pata chal jaata hai. "

~Lawyer and Prisons Mental Health Expert

[199] http://prisons.tn.gov.in/org-chart.htm
[200] https://nhrc.nic.in/sites/default/files/NHRC%20Advisory%20on%20DSH%20and%20Suicide%20attempts%20by%20prisoners_2023.pdf
[201] https://nimhans.co.in/wp-content/uploads/2021/09/Mind-Imprisoned_Mental-Health-Care-in-Prisons.pdf

INDICATOR 2 - Human Resources : Persons with disabilities as justice providers in the prison system

Summary of findings:

SUB-INDICATOR	MANDATES FOR INCLUSION		MANDATES FOR DATA		DATA AVAILABILITY	
2.1 Prison staff with disabilities in state prisons	Centre	◉	Centre	◉		○
	State	◐	State	○		

Figure 5.4: Summary of findings on persons with disabilities as justice providers in the prison system

AVAILABLE PUBLIC DATA:
No public data is available.

KEY ◉ Yes ◐ Partial ○ No

2.1 Prison Staff with Disabilities in State Prisons



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF PRISON STAFF WITH DISABILITIES IN STATE PRISONS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	Yes	No
STATE	Partial	No	

Figure 5.5: Inclusion mandate, data mandate and data availability status of number of Prison staff with disabilities in state Prisons



THE DATA STORY

What we considered as a data point on prison staff as persons with disabilities:

We considered the number of prison staff with disabilities who were within the prison complex and managing prison affairs. These included the Chief Superintendent of Prisons, Superintendent of Prisons, Assistant Superintendent of Prisons, Jailor, Assistant Jailor, Head Warder, Warder and persons of similar ranks in jails.

[202] For example: https://prisons.karnataka.gov.in/info-1/Karnataka+State+Prison+Staff+Strength/en

Mandates on Prison Staff with Disabilities

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**On Inclusion of persons with disabilities as prison staff** Section 34, RPwD Act, 2016	Mandates 4% reservation for those with disabilities in government institutions/ establishments[203]
Central	**On data reporting of persons with disabilities as prison staff** Rule 9, RPwD Act Rules, 2017	Mandates data recording and maintenance on staff with disabilities[204] (detailed information on persons with disabilities employed by the establishment including the number of such persons, their name, gender, address, type of disability, nature of work and type of reasonable accommodations provided by the establishment to persons with disabilities)
EXEMPTIONS		
Central	**Training Manual of Basic Course for Prison Officers**[205]	Requirement of executive staff to be physically and mentally fit to meet the demands of the working conditions in prisons
State	Andhra Pradesh,[206] Assam,[207] Bihar,[208]	Require that prison staff in executive positions be physically fit

[203] Section 34, RPwD Act, 2016
[204] Rule 9 (Form and manner of maintaining records by the establishments), RPwD Act, 2016
[205] https://www.mha.gov.in/sites/default/files/2022-12/TrainingPrisonOfficers_14112022%5B2%5D.pdf
[206] Government Of Andhra Pradesh Abstract Rules – Special Rules – Andhra Pradesh Jail Subordinate Service Rules https://gad.ap.gov.in/documents/service-rules/andhra-pradesh-jails-subordinate-service-rules.pdf
[207] Advertisement Recruitment for 32 Posts of Assistant Jailor in Prison Department, Assam. https://slprbassam.in/pdf/Notice2022/adv_assistant-jailor.pdf
[208] The Bihar Jail Service Rules, 1953. https://indiankanoon.org/doc/173883143/

MANDATE LEVEL	MANDATE	DESCRIPTION
	Goa (Applies to Daman and Diu and Dadra and Nagar Haveli),[209] Gujarat,[210] Haryana,[211] Karnataka,[212] Kerala,[213, 214] Maharashtra,[215] Manipur,[216] Meghalaya,[217] Odisha,[218] Punjab (applies to Chandigarh),[219] Rajasthan,[220] Sikkim,[221] Tamil Nadu,[222] Tripura,[223] Uttarakhand,[224] West Bengal,[225] Jammu and Kashmir,[226] Delhi,[227] Ladakh,[228] and Andaman and Nicobar Islands[229]	

Table 5.5: Mandates on persons with disabilities as prison staff

[209] Rule 1718, Goa Prison Rules 2021. https://www.goa.gov.in/wp-content/uploads/2021/08/Goa-Prisons-Rules-2021-Official-Gazette.pdf
[210] Recruitment of Sepoy. https://lrdgujarat2021.in/Downloads%2FJail_Sepoy_Male_RecruitmentRules.pdf
[211] Jail Officers Appointment. https://haryanaprisons.gov.in/sites/default/files/documents/CHAPTER-VI.PDF
[212] The Karnataka Prisons And Correctional Services Manual – 2021. https://prisons.karnataka.gov.in/storage/pdf-files/KARNATAKA%20PRISON%20CORRECTIONAL%20SERVICE%20MANUAL2021%20PDF.pdf
[213] https://www.keralapsc.gov.in/node/42818
[214] https://www.keralapsc.gov.in/sites/default/files/inline-files/GOs/go_266-10.pdf
[215] Maharashtra Jail Service (State) (Class I And Class II). http://mahaprisons.gov.in/Uploads/pdf_GR/2f009a31-3778-4d9d-9734-6d9b6630ce0cChapter_7.pdf
[216] Manipur Prisons And Correctional Department. https://manipur.gov.in/wp-content/uploads/2024/05/Notification_RecruitmentPrisonCorrection.pdf
[217] Notifications, Government of Meghalaya, Office of the Director General of Prisons. https://megprisons.gov.in/docs/vacancies_1nov2019.pdf
[218] Publication of Advertisement for 403 posts of Jail Warder. https://prisons.odisha.gov.in/wp-content/uploads/2022/10/final-publication-of-403-post-of-jail-warder-861988-OhbDhdh0.pdf
[219] Punjab Jails Department State Service (Class III Executive) Rules, 1963. https://haryanaprisons.gov.in/sites/default/files/documents/2.PDF
[220] The Rajasthan Jail Service Rules. https://home.rajasthan.gov.in/content/dam/pdf/StaffCorner/JailRules/Rajasthan%20Jail%20Service%20Rules%20-%201959.pdf
[221] Sikkim State Jail Employees (Recruitment, Promotion and Seniority) Rules, 2002. http://sikkimprisons.gov.in/assets/pdfs/notifications/notifications37.pdf
[222] Tamil Nadu Public Service Commission. https://www.tnpsc.gov.in/Document/english/Jailor%20Eng.pdf
[223] Notice, Posts for Male Warder. https://linkingsky.com/Docs/TRIPURA-POLICE-Job-1.pdf
[224] The Uttarakhand Jail Manual, 2023. https://prison.uk.gov.in/files/english_Jail_manual,_2023.pdf
[225] West Bengal Jail Code. http://wbcorrectionalservices.gov.in/pdf/jcr.pdf
[226] Jammu and Kashmir Prison Service (Gazetted)Recruitment Rules 2021. https://www.jkhome.nic.in/pdf/S.O%2090%20of%202021_0001.pdf
[227] Notification Assistant Superintendent in the Department of Delhi Prisons. https://tiharprisons.delhi.gov.in/sites/default/files/circulars-orders/recruitment_rules_for_assistant_superintendent_0.pdf
[228] Union territory of Ladakh Prison (Subordinate) Service Recruitment Rules, 2021. https://cdnbbsr.s3waas.gov.in/s395192c98732387165bf8e396c0f2dad2/uploads/2022/09/2022092072.pdf
[229] Recruitment notice, Male Warder. https://erecruitment.andaman.gov.in/Adv/77.pdf

Hypocrisy & Selectiveness in Inclusion of Persons with Disabilities as Prison Staff

The Chief Commissioner for Persons with Disabilities ["CCPD"] in 2021 notified a reviewed list of 281 job positions that are suitable to persons with disabilities, but did not include any for prisons.[230] Viewing disability more holistically, Nagaland allows for the recruitment of persons with benchmark disabilities under the rank of assistant jailer, and includes three types of disabilities: dwarfism, acid attack victims and leprosy cured. [231] Additionally, the Government of Karnataka recognises two posts (Assistant Superintendent and Warder in the Karnataka Prisons and Correctional Services Department) for persons with disabilities. Here too, the post is open only to those who are leprosy cured, have mental illness or specific learning disabilities, or are acid attack victims.[232]

Is data available?

No public data is available in the public domain.



RTI data: Prison Staff with disabilities

Responses received: Out of the 127 prisons/jails that responded: 95 answered this query

Out of 95 prisons that responded to the question on the number of staff with disabilities, only 54% provided valid responses, while 46% were marked as "Not Applicable" or otherwise invalid.

[230] www.ccdisabilities.nic.in/sites/default/files/2021-09/LIST%20OF%20IDENTIFIED%20JOBS%20%E2%80%93%202021_0_0.pdf
[231] https://dpar.nagaland.gov.in/wp-content/uploads/2016/04/Notification-on-Reservation-of-posts-for-Persons-with-Benchmark-Disabilities..pdf
[232] https://dwdsc.karnataka.gov.in/storage/pdf-files/Karnatakaprisonsandcorrectionalservicesdepartment.pdf

Among the valid responses, 90% of jails reported that they did not have any staff members with disabilities, with only six prisons confirming the presence of staff with disabilities which include District Jail, Majuli in Assam and the Andhra Pradesh Prisons Department maintain data on staff with disabilities.

Notably, the Andhra Prisons Department reported employing 12 staff members with disabilities across various roles, although the data did not specify the cadres or designations in which they were appointed (see RTI Table 2B.3, Annexure 2B). The remaining institutions with available data reported no staff with disabilities, indicating a general lack of representation and possibly limited tracking of disability inclusion in prison staffing across most states and UTs.

KEY FINDINGS ON INCLUSION OF AND DATA ON STAFF WITH DISABILITIES IN PRISONS

There is no publicly available data on the number of staff with disabilities within the prison system. Rule 9 of the RPwD Rules imposes an obligation on establishments to maintain records of the staff who are persons with disabilities; but there is no mandate on releasing them in the public domain. Furthermore, central and state-level exemptions to recruitment in prison posts leave the application of Section 34 of RPwD Act open to interpretation. Discrepancy among states and between states and the center on the recruitment rules in different ranks and the silence on accommodations for persons with disabilities such that may otherwise meet the fitness criteria leaves it unclear whether prisons have persons with disabilities among their staff within the system.

RECOMMENDATIONS TO IMPROVE INCLUSION OF AND DATA AVAILABILITY ON PERSONS WITH DISABILITIES AS JUSTICE PROVIDERS IN THE PRISON SYSTEM

CHALLENGE	RECOMMENDATION	STAKEHOLDERS
Lack of clarity on mandates for hiring persons with disabilities among prison staff	1. Clear distinction must be made in state-level mandates regarding the ranks within the prison staff that are amenable to inclusion for persons with disabilities, and uniform mandates must be adopted across states where possible in compliance with Section 34 of the RPwD Act. 2. Where persons with disabilities are hired, data must be maintained by the Prison Departments and released to relevant authorities such as the State Home Department per Rule 9 of the RPwD Act, 2016, on a timely basis. The data captured must be complete and comprehensive such that states are able to monitor inclusion progress within prisons.	1. Chief Commissioner of Persons with Disabilities (CCPD) 2. Ministry of Home Affairs 3. Prison Departments of states 4. Department for the Empowerment of Persons with Disabilities (DEPwD), Ministry of Social Justice and Empowerment

Table 5.6: Recommendations to improve inclusion of and data availability on persons with disabilities as justice providers in the Prison system

"Even in a big jail like Mandoli, I saw only one person with a disability. He was a "Sevadhaar" at the ward. He had a problem with one leg."

~ Ex-Prisoner

[233] Note: For the ex-prisoners interviews, the narratives were translated from Hindi to English and are not quoted verbatim. However, the quotes reflect what was shared during the interviews.

INDICATOR 3 - Accessible infrastructure: Physical and Digital Accessibility and Inclusion within the Prison System

Summary of findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
3.1 Disability friendly ramps in state prisons	Centre ◉ State ◐	Centre ○ State ○	○
3.2 Accessible toilets for prisoners or prison staff with disability	Centre ◉ State ◐	Centre ○ State ○	○
3.3 Prisoners or prison staff using prosthetics or orthotics	Centre ◉ State ◐	Centre ○ State ○	○
3.4 Assistive devices within prisons	Centre ◉ State ◐	Centre ○ State ○	○
3.5 Vehicles with accessible features for prisoners with disabilities	Centre ◉ State ○	Centre ◉ State ○	○
3.6 Computers or devices with digital infrastructure that enable accessibility	Centre ◉ State ◐	Centre ○ State ○	○
3.7 Other reasonable accommodations within prisons	Centre ◉ State ◐	Centre ○ State ○	○

Figure 5.6: Summary of findings on physical and digital accessibility and inclusion of persons with disabilities within the Prison system

KEY ◉ Yes ◐ Partial ○ No

AVAILABLE PUBLIC DATA: No public data is available on any of the sub-indicators.

"We are 250 people in a ward. 4-5 of them are disabled. The wardens' duties keep changing everyday, they aren't able to keep track. So nothing special in terms of facilities is provided. The duty to care for disabled inmates is not delegated to anyone."

~ Ex-Prisoner

"There are loopholes in the system, but there are rules within the system and they [the rules] need to be followed. They [the staff] want to provide facilities; I may need it now, but it takes so long for the facility to be made available."

~ Ex-Prisoner

"The prison system is such that you need to be independent and do everything on your own, but other prisoners (but they do not always have the time) will help a person with a disability navigate their everyday activities. There is no help from the state or government."

~ Ex-Prisoner

3.1 Disability-Friendly Ramps in State Prisons

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF DISABLED-FRIENDLY RAMPS IN STATE PRISONS

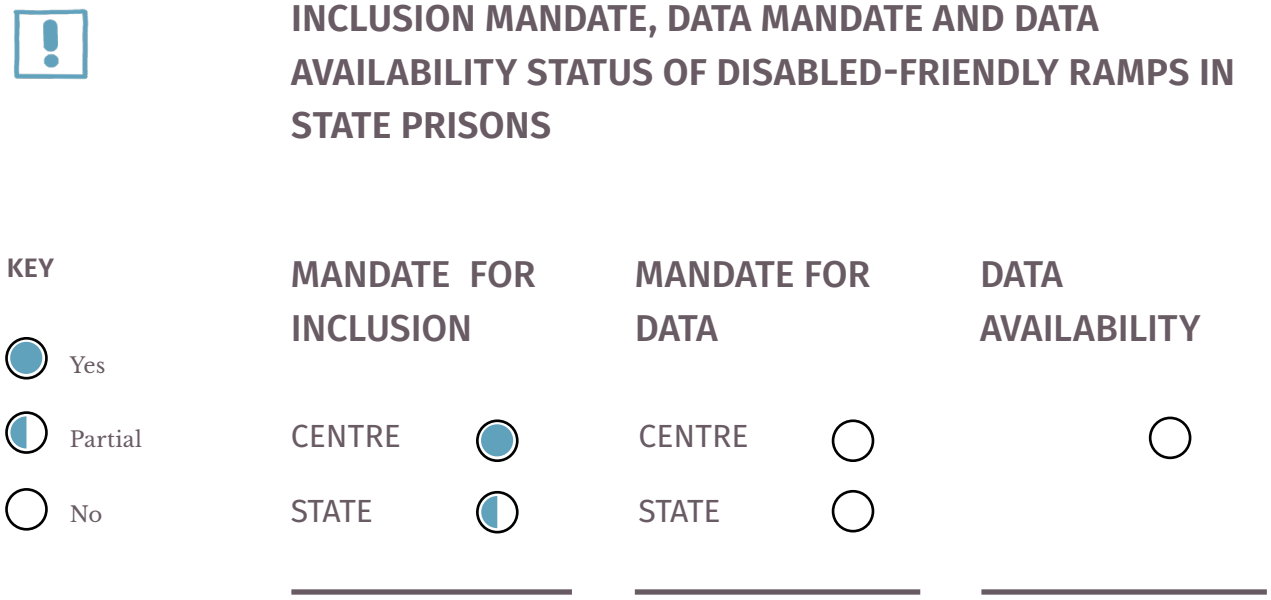


Figure 5.7: Inclusion mandate, data mandate and data availability status of disability-friendly ramps in state Prisons

THE DATA STORY

What we considered as a data point on ramps in prisons:

We considered any ramp built or available in prisons to make the premises user-friendly and accessible under this datapoint.

Why are ramps crucial for enabling accessibility?

Accessibility is the basis for inclusion, therefore premises/ institutions that do not offer accessible features for mobility create barriers to inclusion. For example, the absence of ramps makes other inclusion measures ineffective.

Mandates on Ramps in Prisons

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 45, RPwD Act**	Appropriate government to make public buildings accessible
	Rule 15, RPwD Rules	Comply with the Harmonised Guidelines
State/UT with explicit mandate for ramps within the prisons	**Goa, Daman & Diu and Dadra & Nagar Haveli**[234]	Superintendent shall ensure that premises have user-friendly facilities such as ramps and hand railings
State/UT with mandate for accessible infrastructure within prisons	**Ladakh**[235]	Infrastructure as a whole to be disability-friendly for all categories; also provides for periodical disability audit
State/UT with mandate for accessible infrastructure within prisons for visitors with disabilities	**Delhi,**[236] **Uttarakhand,**[237] **Goa,**[238] **Daman & Diu and Dadra & Nagar Haveli**[239]	Prison authorities provide adequate facilities or infrastructure to a prisoner or visitor with disabilities, along with ensuring that the approach to the area meant for visitation is disability-friendly

Table 5.7: Mandates on ramps in Prisons

[234] Rule 1888, Goa
[235] Rule 02.06, Ladakh
[236] Rule 598, Delhi Prison Rules
[237] Rule 270, Uttarakhand Prison Manual
[238] Rule 585, Goa
[239] Rule 585, Goa

Is data available?

No data on ramps in prisons is available in the public domain.

RTI data: Presence of ramps

Responses received: Out of the 127 prisons/jails that responded: 95 answered this query

Out of 95 prisons that responded to the question on the availability of ramps within prison facilities, only 50.5% provided valid responses, while 49% were marked as invalid or "Not Applicable." Among the valid responses, just 14.5% of prisons reported the presence of ramps, highlighting limited physical accessibility across the prison infrastructure.

The prison departments of Andhra Pradesh, Kerala, Assam, and Rajasthan were the only ones to report having ramps in some of their facilities (See See RTI Table 2B.4, Annexure 2B). This limited availability underscores significant infrastructural gaps in making prisons accessible to persons with physical disabilities, especially given the presence of inmates and staff with locomotor impairments reported in other parts of the RTI data.

KEY FINDINGS ON INCLUSION OF AND DATA ON STAFF WITH DISABILITIES IN PRISONS

A lack of ramps in prisons particularly at points of access diminish inclusion and reasonable accommodations for persons with disabilities. The lack of data despite mandates for accessible public spaces is reflective of little systemic commitment to make built spaces accessible for persons with disabilities.

"I just want to add that these prisons don't have ramps. We use the stairs to get by, but they do not have ramps. These 'sliders' [ramps] are only available in the medical ward."

~ Ex-Prisoner

"In modern jails like Mandoli Jail, they try to keep these [the disabled] prisoners on the ground floor alone, so that everything is accessible to them. The staff and other inmates in our jails might offer to help out, which might make the disabled inmate feel like he is dependent."

~ Ex-Prisoner

"There are books in the library in Braille, but they [the prisoners] are not able to come to the library due to lack of facilities."

~ Ex-Prisoner

"The only place in the jail premises with a ramp is the medical ward. Every other place has only stairs."

~ Ex-Prisoner

Audit reports on accessibility of jails in Delhi showed variations in presence of ramps and other accessibility features. **The Delhi Commissioner for Persons with Disabilities had conducted a disability audit of Delhi prisons in 2019 which found that most jails are only "partly disability-friendly."**[240]

An audit report by the Nipman Foundation found that there were five ramps in Rohini Jail (one ramp placed at the entrance of the mulakat room and four others at different wards in the jail), but none in Tihar jail. Both jails reported having stairs at multiple access points, preventing accessibility further.[241, 242]

[240] https://discomm.delhi.gov.in/sites/default/files/discomm/pdf_files/accessibility/road.pdf
[241] https://static1.squarespace.com/static/59228730197aea2df14c1770/t/5d1d9a3deaad0500016b2e12/1562221178867/TIHAR+JAIL+ACCESS+AUDIT.pdf
[242] https://nipun-malhotra-pkh5.squarespace.com/s/ROHINI-JAIL-ACCESS-AUDIT-with-watermark.pdf

3.2 Accessible Toilets for Prisoners or Prison Staff with Disability



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF ACCESSIBLE TOILETS FOR PRISONERS OR PRISON STAFF WITH DISABILITY

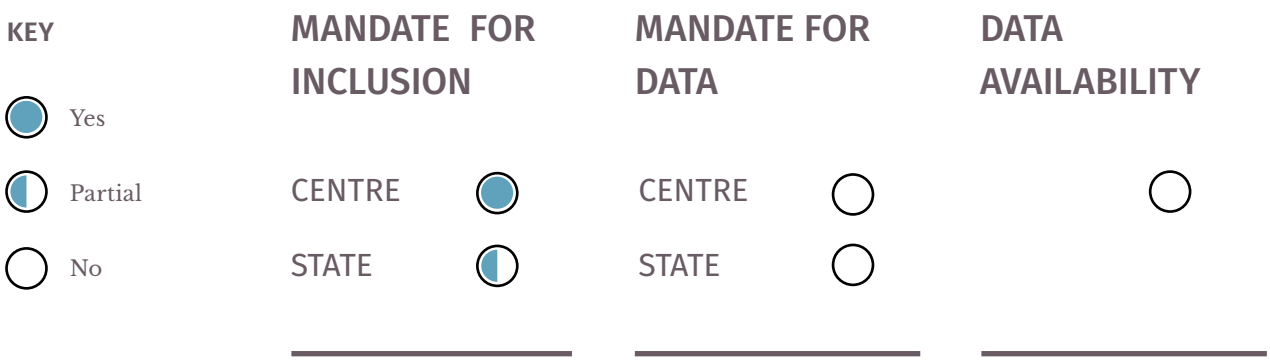


Figure: 5.8 Inclusion mandate, data mandate and data availability status of number of accessible toilets for prisoners or Prison staff with disability



THE DATA STORY

What we considered as a data point on accessible toilets in prisons:

We considered any reference to providing toilets with accessible features such as handrails, enough space for wheelchairs and commodes for easy transfers from the wheelchair.

Mandates on accessible toilets in prisons

The mandate under Section 45, RPwD Act read with Rule 15, RPwD Rules, extends to the provision of accessible toilets within the prison. The Harmonised Guidelines include

prisons within the category of 'judicial and legal buildings' for which one of the minimum criteria for accessibility is to have accessible sanitation provisions. It further provides that all washrooms shall account for all disabilities, for instance, provision of enough space for wheelchair users and placement of mirrors and lights for the visually impaired.[243]

Mandates on Accessible Toilets in Prisons

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 45, RPwD Act**	Appropriate government to make public buildings accessible
	Rule 15, RPwD Rules	Comply with the Harmonised Guidelines
	Goa[244]	Sufficient number of toilets shall be maintained in a clean state and adequate provision shall be made for differently abled inmates*
State mandate on toilets for prisoners with disabilities	**Delhi,**[245] **Goa,**[246] **Uttarakhand,**[247] **Daman & Diu and Dadra & Nagar Haveli**[248]	Obligation on the Superintendent to provide toilet facilities to prisoners with disabilities as may be prescribed by the Medical Officer-in-charge

*Though the Rule does not explicitly mention 'women inmates', it is placed under the chapter on Women Prisoners. Therefore, the mandate can be construed to provide accessible toilets for differently abled female inmates.

[243] Guidelines 4.9.1 (1) and 4.9.1 (8)
[244] Rule 1515, Goa
[245] Rule 1828, Delhi
[246] Rule 1877, Goa
[247] Rule 691, Uttarakhand
[248] Rule 1877, Goa

MANDATE LEVEL	MANDATE	DESCRIPTION
State mandate on toilets for visitors with disabilities	**Delhi,**[249] **Goa,**[250] **Uttarakhand,**[251] **Daman & Diu and Dadra & Nagar Haveli**[252]	

Table 5.8: Mandates on accessible toilets in Prisons

Is data available?

No data on accessible toilets in prisons is available in the public domain.

RTI data: On accessible toilets

Out of the 127 prisons/jails that responded to this question, 117 were valid responses.

~ 42% of the respondent jails confirmed the presence of disability-friendly accessible toilets. However, most of these jails simply considered the availability of Western toilets as being disability-friendly.

KEY FINDINGS ON PROVISION OF AND DATA ON ACCESSIBLE TOILETS IN PRISONS

Absent or dysfunctional basic amenities such as toilets, and absence of understanding meaningful accessibility amplify everyday challenges for prisoners with disabilities. The lack of data despite mandates for accessible public spaces is reflective of little systemic commitment to make built spaces accessible for persons with disabilities.

[249] Rule 598, Delhi
[250] Rule 585, Goa
[251] Rule 270, Uttarakhand
[252] Rule 585, Goa

"Western toilets are available for them [persons with disabilities], but they are broken. They are forced to use Indian seats. The common toilets in the prison don't get running water, so you have to carry a small bucket of water with you. Now, it is a challenge for them. Should he handle himself or the bucket of water?"

~ Ex-Prisoner

"Going to the washroom was a problem for him [a prisoner with a disability]. He stayed with me for 5-6 months, and for that duration he had problems while using the washroom, showering, and other things."

~ Ex-Prisoner

"If you are going to the common toilet, you don't get water in the toilet. So, you have to fill water in a small bucket and take it to the toilet. This becomes very difficult for a person with a disability."

~ Ex-Prisoner

3.3 Prisoners or Prison Staff using Prosthetics or Orthotics

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF PRISONERS OR PRISON STAFF USING PROSTHETICS OR ORTHOTICS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	Partial	No	

Figure: 5.8 Inclusion mandate, data mandate and data availability status of number of accessible toilets for prisoners or Prison staff with disability

THE DATA STORY

What we considered as a data point on prisoners/prison staff using orthotics/ prosthetics:

We considered provision of orthotic devices (such as braces, splints or other supportive devices used to correct alignment, reduce pain and/or provide additional support to any part of the body that may be impaired due to a disability) and prosthetic devices (used to replace a missing limb).

Why data on assistive devices in prisons is an indicator of inclusion?

Assistive devices are such supporting devices that are used by persons with disabilities to improve their quality of life in terms of mobility, communication and to perform daily activities.[253]

Prosthetic or orthotic devices enable people with a physical impairment to live healthy, productive, independent, dignified lives and to participate in education, the labour market and social life.[254] This data point was considered to understand the number of persons using such aides to inform and understand the states' capacity to provide for them.

Mandates on Assistive Devices in Prisons

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 3(5), RPwD Act**	The appropriate government has the obligation to take necessary steps to ensure reasonable accommodation for persons with disabilities

GUIDANCE LEVEL	GUIDELINE	DESCRIPTION
Central	**Model Prison Manual, 2016[255]**	Duty of medical personnel to provide artificial limbs, glass eyes, trusses and other prosthetic devices

[253]Aids and Assistive Devices, The National Trust, https://thenationaltrust.gov.in/content/innerpage/aids-and-assistive-devices.php.
[254]WHO standards for prosthetics and orthotics, World Health Organisation, https://www.who.int/publications/i/item/9789241512480
[255] Rule 4.07.4 (b), Model Prison Manual, 2016.

GUIDANCE LEVEL	GUIDELINE	DESCRIPTION
State	**Delhi, Goa, Ladakh,[256] Mizoram, Odisha, Puducherry, Rajasthan, Tripura, Uttarakhand, Daman & Diu and Dadra & Nagar Haveli**	Prosthetics or orthotics such as artificial limbs, glass eyes, crutches, trusses and other prosthetic devices shall be provided to prisoners with disabilities

Table 5.9: Mandates on assistive devices in Prisons

Is data available?

No data on the number of prosthetics and/or orthotic devices for prisoners in prisons is available in the public domain.

KEY FINDINGS ON PROVISION OF AND DATA ON ORTHOTICS/ PROSTHETICS IN PRISONS

Orthotics and prosthetics support independence and "normalcy" for a person with disability, but are considered "weapons" within the prison system.

The lack of data despite mandates for reasonable accommodations is reflective of little systemic commitment for inclusion of persons with disabilities.

"When I was in jail, I saw an inmate who had injured both his legs and he had a support on his leg to help him walk. When he entered prison, that support was snatched away from him. Even the Superintendent could tell that he was struggling, so could the medical examiners. Until the support was approved by the judiciary, he was not allowed to bring it into the prison."*

**"Prisoners have their prosthetics taken away due to fear of injuring other inmates during fights."*

~ Ex-Prisoner

[256] 4.03 (III)(b), Ladakh Prison Manual

3.4 Other Assistive Devices within the Prison for Prisoners/Prison Staff

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF ASSISTIVE DEVICES IN PRISONS

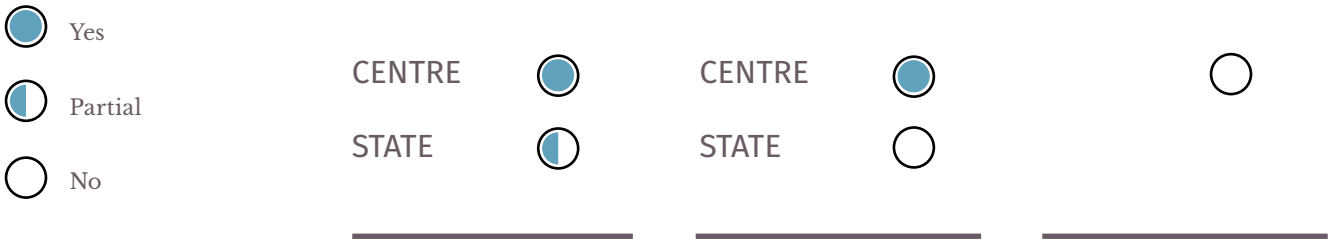


Figure 5.9: Inclusion mandate, data mandate and data availability status of assistive devices in Prisons for prisoners or prison staff

THE DATA STORY

What we considered as a data point on other assistive devices in prisons?

We considered data available on the number of wheelchairs and stretchers within the prison for the purpose of this data point.

Why data on wheelchairs/stretchers in prisons is an indicator of inclusion

Assistive devices are such supporting devices that are used by persons with disabilities to improve their quality of life in terms of mobility, communication and for performing their daily activities.[257]

[257] Aids and Assistive Devices, The National Trust, https://thenationaltrust.gov.in/content/innerpage/aids-and-assistive-devices.php.

Mandates on Assistive Devices for prisoners/Prison Staff

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**No national mandate**	NA
State	**Delhi,**[258] **Goa,**[259] **Uttarakhand,**[260] **Daman & Diu and Dadra & Nagar Haveli**[261]	Each ward must have a stretcher and a wheelchair
	Uttar Pradesh[262]	Every hospital in jail shall be provided with stretchers and wheelchairs in sufficient numbers

Table 5.10: Mandates on assistive devices for prisoners/Prison staff

Is data available?

No data on the number of assistive devices provided to prisoners with disabilities in prisons is available.

RTI data: Presence of assistive devices within prisons

Out of the 127 responses received, 100 prisons responded to this query.

Of these 100 responses, 95% provided valid responses, while 5% were invalid or incomplete. Among the valid responses, 68% prisons reported the availability of assistive devices, with wheelchairs being the most commonly provided—available in over 51 facilities. Other devices mentioned included walking sticks, stretchers, and orthotics, though less frequently. Additionally, eight prisons stated that assistive devices are provided based on demand or specific requirements; however, these responses did not specify the type or quantity of devices made available.(See RTI Table 2B.5, Annexure 2B)

[258] Rule 1826, Delhi
[259] Rule 16(11), Goa
[260] Rule 12(x), Uttarakhand
[261] Rule 16(11), Goa
[262] Rule 1001, Uttar Pradesh

KEY FINDINGS ON PROVISION OF AND DATA ON OTHER ASSISTIVE DEVICES IN PRISONS

Wheelchairs, crutches support independence and "normalcy" for a person to be mobile within the prison. The lack of data despite mandates for reasonable accommodations is reflective of little systemic commitment for inclusion of persons with disabilities.

Prisoners Must Navigate a Web of Documentation to Avail Assistive Devices

The documentation required to issue approvals for providing an assistive device within the prison, such as a wheelchair, consumes a lot of time and is marred with red tapism.

"Getting the paperwork is very difficult. Even if they see that the person is disabled, they still ask them to bring the documentation from home and get the signature of the judicial officer."

~ Ex-Prisoner

"One will have to take permission from the court, provide a disability certificate, or take permission from the Medical Officer. The process of securing permission from the Medical Officer takes a lot of time."

~ Ex-Prisoner

"It is not as accessible and easy as it looks. The documentation in itself takes so much time that when it's done, I've already learned how to survive without the support. Everyone in prison, until you prove that you have a disability, keeps telling you that you are not sick. "

~ Ex-Prisoner

3.5 Vehicles with Accessible Features for Prisoners with Disabilities



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF VEHICLES WITH ACCESSIBLE FEATURES FOR PRISONERS WITH DISABILITIES

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	Yes	No
STATE	No	No	

Figure 5.10: Inclusion mandate, data mandate and data availability status of number of vehicles with accessible features for prisoners with disabilities



THE DATA STORY

What we considered as a data point on vehicles with accessible features:

For this data point, we assessed the number of accessible vehicles that are required to take prisoners from the prison to the court for hearings or to any other place for other activities.

Mandates on Vehicles with Accessible Features in Prisons

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 41(b), RPwD Act**	Imposes an obligation on the government to provide safe and accessible transport for persons with disabilities
State	**NA**	No state specific mandate to make prison vehicles accessible for prisoners with disabilities
	Delhi,[263] Goa,[264] Uttarakhand,[265] Daman & Diu and Dadra & Nagar Haveli[266]	Prison transport shall be modernised and state-of-the-art transport vehicles shall be procured to facilitate safe, clean, secure and proper transportation of prisoners

Table 5.11: Mandates on vehicles with accessible features in Prisons

Is data available?

No data on the number of accessible vehicles in prisons is available in the public domain.

[263] Rule 720, Delhi
[264] Rule 710, Goa
[265] Rule 358, Uttarakhand
[266] Rule 710, Goa

RTI data: Accessible transportation

Out of 95 prisons that responded to the question on the accessibility of vehicles used to transport prisoners with disabilities, only 36 (~38%) reported having accessible vehicles, while the remaining 59 (62%) stated that such vehicles were not available. Among the 36 responses that reported availability, 21 (58%) prisons identified ambulances as the accessible vehicle provided for prisoners with disabilities, suggesting that the provision of accessible transport is not dedicated or specialised, but instead reliant on emergency medical vehicles like ambulances, which may not be designed for routine or safe transport of prisoners with disabilities (See RTI Table 2B.6, Annexure 2B).

Accessibility of Transport Vehicles for Prisoners with Disabilities

Services	Total Responses	Accessible Vehicles Available*	Accessible Vehicles Not Available
Are prison vehicles used for transporting prisoners with disabilities accessible?	**95**	*36*	*59*

Table 5.12: Accessibility of transport vehicles for prisoners with disabilities

*It is difficult to ascertain whether these vehicles are actually "accessible" for prisoners with disabilities.

KEY FINDINGS ON PROVISION OF AND DATA ON OTHER ASSISTIVE DEVICES IN PRISONS

Without wheelchairs and accessible vehicles prisoners with disabilities depend on others to climb into vans or other vehicles of transport. The lack of data despite mandates for reasonable accommodations is reflective of little systemic commitment for inclusion of persons with disabilities.

"When they leave the prison premises for medical check-ups or court dates, getting on and off the bus is a challenge for them. The staff normally ask the other inmates to help them out. If the inmates feel kind enough they will help him out; if they don't, they won't care if he is crying or beaten up- no help will be offered."

~ Ex-Prisoner

3.6 Computers or Digital Devices within Prisons



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF COMPUTERS/ DIGITAL DEVICES THAT ENABLE ACCESSIBILITY/ INCLUSION

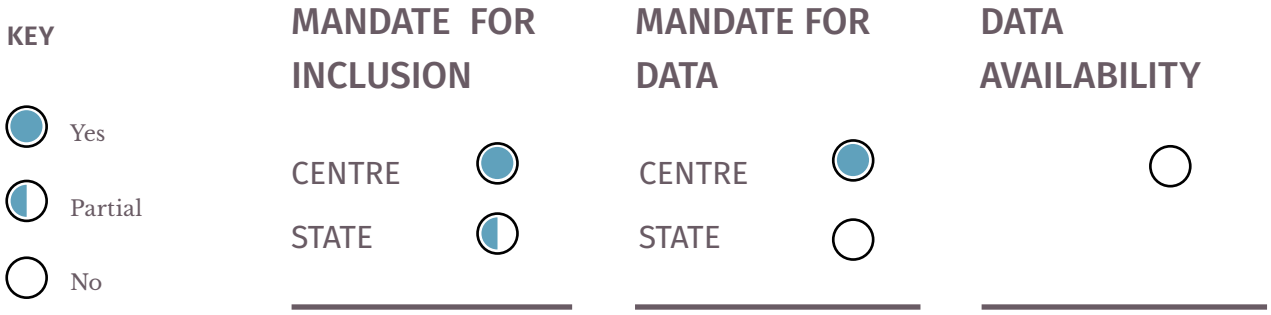


Figure 5.11: Inclusion mandate, data mandate and data availability status of number of computers/digital devices that enable accessibility/inclusion



THE DATA STORY

What we considered as a data point on computers/digital devices that enable accessibility/ inclusion?

We considered features such as text-to-audio, screen readers, captioning, large fonts and any other accessibility feature in the computers or digital devices provided to prisoners or prison staff with disability under this data point.

Mandates on Digital Accessibility in Prisons

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 42, RPwD Act**	Imposes an obligation on the government to make information and communication technology accessible for persons with disabilities
State	**Goa and Uttarakhand**	Imposes an obligation to have books and print material in audio to facilitate accessibility for prisoners

Table 5.13: Mandates on digital accessibility in Prisons

Is data available?

No data is available in the public domain on the number of computers or devices with digital infrastructure that enable accessibility.

RTI data: Accessible digital infrastructure

The data reveals a significant digital divide within prison infrastructure, **with 94 (~99%) out of 95 prisons (that responded) reporting unavailability of accessible digital infrastructure.** Only one prison indicated the presence of such facilities. Similarly, when asked about the **accessibility of e-Prison portals, just 24 (~27%) out of 89 respondents confirmed their accessibility, while the remaining 65 (73%) indicated otherwise.** This means that around 90% of jails lack meaningful access to digital systems.

Despite this overall gap, some mentions include, **The District Jail in Leh reported providing special touch-screen digital sets to support accessibility needs. Meanwhile, the Central Jail in Guwahati described a relatively structured system where e-Prison portals are managed by data entry operators and paralegal volunteers, ensuring that prisoners can access case details or custody certificates upon request.** These examples highlight the possibility of inclusive practices, albeit limited in reach.

Availability and Accessibility of Digital Infrastructure in Prisons

Services	Total Responses	Yes	No
Availability of accessible digital infrastructure inside prisons	**95**	*1*	*94*
Accessibility of e-prison portals	**89**	*24*	*65*

Table 5.14: Availability and accessibility of digital infrastructure in Prisons

KEY FINDINGS ON PROVISION OF AND DATA ON COMPUTERS/OTHER DIGITAL DEVICES IN PRISONS

Accessible digital devices help prisoners with disabilities pursue education/ livelihoods from the prison. The lack of data despite mandates for reasonable accommodations is reflective of little systemic commitment for inclusion of persons with disabilities.

3.7 Any Other Reasonable Accommodations within the Prison



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF OTHER REASONABLE ACCOMMODATIONS/FACILITIES WITHIN PRISONS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	Partial	No	

Figure 5.12: Inclusion mandate, data mandate and data availability status of number of computers/ digital devices that enable accessibility/inclusion



THE DATA STORY

What we considered as a data point on other reasonable accommodations in prisons:

We considered prison infrastructure features such as *special beds or extra bedding* for prisoners with disabilities to assess other reasonable accommodation facilities

Mandates on Other Reasonable Accommodations for Prisoners with Disabilities

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 41(b) RPwD Act**	Imposes an obligation on government to provide safe and accessible transport for persons with disabilities
State	**Andhra Pradesh,**[267] **Bihar,**[268] **Telangana**[269]	Imposes an obligation to provide extra clothing and bedding to infirm prisoners on the recommendation of the Medical Officer
	Karnataka[270]	Imposes an obligation on the Chief Superintendent or Superintendent of Prison to supply additional bedding or clothing to a prisoner whose mind or body appears to require such additional facilities
	Delhi,[271] **Goa,**[272] **Daman & Diu, Dadra & Nagar Haveli and Uttarakhand**[273]	Impose an unconditional obligation to provide a bed to differently-abled prisoners
	Goa[274]	Imposes an obligation to provide bedding for prisoners with mental illnesses

[267] Rule 429
[268] Rule 185
[269] Rule 429
[270] Rule 33
[271] Rule 448
[272] Rule 423
[273] Rule 173
[274] Rule 1862

MANDATE LEVEL	MANDATE	DESCRIPTION
	Goa[275]	Require the Medical Officer to prescribe sleeping arrangements for prisoners with disabilities upon admission

Table 5.15: Mandates on other reasonable accommodations for Prisoners with disabilities

Is data available?

No data on reasonable accommodation facilities within prisons is available in the public domain.

RTI data: Reasonable accommodations for prisoners with disabilities

Out of 95 prisons that responded to the question on the availability of special accommodation facilities for persons with disabilities, only 28 (29%) reported having such provisions, while 67 (70.5%) indicated their absence. Among the 28 that claimed availability, nearly 90% clarified that accommodations are provided only based on specific requirements, rather than being a standard facility. (See RTI Table 2B.7, Annexure 2B)

Notably, Sub Jail in Attingal, Kerala, reported that it does not house persons with disabilities; instead, such individuals are transferred to the Thiruvananthapuram Central Jail, which is equipped to meet their needs.

Availability of Special Accommodation Facilities in Prisons

Services	Total Responses	Available*	Not Available
Availability of accessible digital infrastructure inside prisons	**98**	*28*	*67*

Table 5.16: Availability of special accommodation facilities in Prisons

*90% mention offering special accommodations based on requirements

[275] Rule 1826

KEY FINDINGS ON PROVISION OF AND DATA ON OTHER REASONABLE ACCOMMODATIONS IN PRISONS

Wheelchairs, crutches support independence and "normalcy" for a person to be mobile within the prison. The lack of data despite mandates for reasonable accommodations is reflective of little systemic commitment for inclusion of persons with disabilities.

"If a wheelchair-bound individual had their own wards with beds at a height, that would be great because currently, they struggle to get off the wheelchair and onto the beds on the floor. After that, let's say he has to use the washroom, getting off the bed and onto the wheelchair is a hassle in itself. There really should be a person who is hired by the prison authorities to help such inmates get on and off the wheelchair and move around everyday. Even the medical examiners treat disabled inmates horribly."

~ Ex-Prisoner

RECOMMENDATIONS TO IMPROVE DATA AVAILABILITY ON AND ACCESSIBILITY OF THE PRISON SYSTEM FOR PERSONS WITH DISABILITIES

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Lack of state-specific accessibility mandates in prison rules and prison manuals (ramps, accessible toilets, provision of orthotics/ prosthetics, assistive devices, reasonable accommodation and accessible digital devices)	State-specific prison rules/manuals should account for providing reasonable accommodations to prisoners with mental and physical disabilities, including accessible infrastructure and other facilities, to achieve the intent of the RPwD Act. Accessibility and inclusion standards (MHA Guidelines for Police Stations, Prisons, and the Disaster Management Division, WCGA Guidelines),[276, 277] for physical infrastructure must be clearly laid out in Prison and Jail Manuals/Rules and enforced.	1. Home Ministry of states 2. DG of Prisons
Absence of ramps within the prison	Ramps should be provided at appropriate places in the prison to enable unhindered movement and access to facilities within the prison for prisoners with disabilities. Where applicable in prison budgets, fund allocations must include retrofitting/including accessible infrastructure as part of the prison modernisation.[278] A breakdown of the specific allocations and spending must be maintained for tracking and auditing purposes.	1. Prison Department of respective states/ UTs 2. Ministry of Home Affairs

[276] https://www.mha.gov.in/sites/default/files/2023-11/Campaign_30112023.pdf
[277] https://guidelines.india.gov.in/accessibility-guidelines-and-attributes/
[278] https://www.indiabudget.gov.in/doc/eb/vol1.pdf

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Absence of audit of prisons for accessibility parameters	Periodic independent audits must be conducted to assess if the prison premises are disability-friendly and compliant with applicable mandates (such as the MHA Guidelines for Police Stations, Prisons and Disaster Management Division). Audit standards must be developed and compliance must be monitored on an annual basis through data collection and reporting mechanisms.[279, 280]	1. Prison Department of respective States/ UTs 2. DEPwD, Ministry of Social Justice and Empowerment 3. CCPD
Attitudes towards prisoners requiring accommodations is lacking among the jail staff	Sensitisation and awareness programs under Section 47 of the RPwD Act must include modules on accessibility and reasonable accommodations to jail staff and other prisoners. These training programs will build awareness on the needs of persons with disabilities and allow for more conscious action by prison staff and prison departments to provide for facilities to enable independence for prisoners with disabilities.	1. Disability Rights Activists 2. NGOs 3. Department of Empowerment of Persons with Disabilities (DEPwD), and the respective state disability departments

Table 5.17: Recommendations to improve data availability on and accessibility of the Prison system for persons with disabilities

[279] https://nipun-malhotra-pkh5.squarespace.com/s/ROHINI-JAIL-ACCESS-AUDIT-with-watermark.pdf
[280] https://static1.squarespace.com/static/59228730197aea2df14c1770/t/5d1d9a3deaad0500016b2e12/1562221178867/TIHAR+JAIL+ACCESS+AUDIT.pdf

INDICATOR 4 - System response: Disability awareness and disability responsiveness of the prison system

Summary of findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
4.1 Interpreters/translators/ support staff	Centre ◉ State ◐	Centre ○ State ○	○
4.2 Sensitisation Programs	Centre ◉ State ◐	Centre ○ State ○	○
4.3 Specialised Medical Staff	Centre ◉ State ◐	Centre ○ State ○	◐
4.4 Specialised Rehabilitation Programs	Centre ◉ State ◐	Centre ○ State ○	○
4.5 Accessible Recreational Facilities	Centre ◉ State ◐	Centre ○ State ○	○

Figure 5.13: Summary of findings on disability awareness and disability responsiveness of the prison system

AVAILABLE PUBLIC DATA: The NCRB Prisons Statistics Report of 2022 reveals a total of 69 sanctioned positions (58 for states and 11 for UTs) and 25 filled positions for psychologists/psychiatrists (21 for states and four for UTs) across state and UT prisons accounting for only 36.23% of the required staff strength.

KEY ◉ Yes ◐ Partial ○ No

The prison environment does not allow prisoners with a disability to do things independently. If we do not give them the system or the safe space, the issue [of lowered dignity and lack of independence] will remain."

~ Ex-Prisoner

4.1 Interpreters, translators and support staff for persons with disabilities



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF INTERPRETERS, TRANSLATORS AND SUPPORT STAFF FOR PERSONS WITH DISABILITIES

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	○	○	○
STATE	◐	○	

Figure 5.14: Inclusion mandate, data mandate and data availability status of number of interpreters, translators and support staff for persons with disabilitie



THE DATA STORY

What we considered as a data point on support staff for persons with disabilities

We considered the number of interpreters, translators and similar support staff within the system who enable communication and independence for persons with disabilities.

Why did we consider the number of interpreters, translators and support staff as an indicator of inclusion?

For equitable access and inclusion of persons with disabilities within the prison system, interpreters, translators and support staff who enable interaction through alternate means of communication or aid mobility or in carrying on other activities of daily living for persons with disabilities were considered. This is important to allow prisoners and prison staff with disabilities to interact and be at par with other prisoners and prison staff and avoid any form of exclusion.

Mandates on Support Staff for Persons with Disabilities in Prisons

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**No Mandate**	NA

GUIDELINE LEVEL	GUIDELINE	DESCRIPTION
Central	**The Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres under Accessible India Campaign (AIC) 2021 discusses the General Guidelines for Associated Services in Prisons (Section 8.6)**[281]	Section 8.6.2 guides prisons to have access to the appropriate professionals/staff/ services including sign language interpreters or braille to support persons with disabilities

[281] Section 8.6, Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres# under Accessible India Campaign (AIC), 2021. https://www.mha.gov.in/sites/default/files/2023-11/Campaign_30112023.pdf

GUIDELINE LEVEL	GUIDELINE	DESCRIPTION
State	**Rule 1884 Goa Prison Rules, 2021[282] Applies to Daman & Diu and Dadra & Nagar Haveli**	Mandate the presence of professionals and support staff who are trained in sign language and braille to support persons with disabilities with their everyday communications to ensure full participation within and outside the prison. "The Superintendent shall get trained professionals and support staff qualified in sign language and braille to support such prisoners to fulfill the daily communication needs of persons with speech, communication or language disabilities and enable them to participate and contribute to their community and society."
	Rule 692(iii) Uttarakhand Jail Manual, 2023[283]	
	Rule 1835 Delhi Prison Rules, 2018[284]	

Table 5.18: Mandates on support staff for persons with disabilities in Prisons

Is Data Available?

There is no publicly available data on the number of sign language interpreters in states that mandate them and those that do not.

[282] Rule 1884, Goa Prisons Rules, 2021. https://www.goa.gov.in/wp-content/uploads/2021/08/Goa-Prisons-Rules-2021-Official-Gazette.pdf
[283] Rule 692(iii), The Uttarakhand Jail Manual, 2023. https://prison.uk.gov.in/files/english_Jail_manual,_2023.pdf
[284] Rule 1835, Delhi Prison Rules, 2018. https://tiharprisons.delhi.gov.in/sites/default/files/Tiharprisons/generic_multiple_files/delhi_jail_manual-2018_english.pdf

RTI Data: Translators, interpreters and support staff for persons with disabilities

Among the 84 prisons that responded regarding the availability of i nterpreters, translators, or caregivers for persons with disabilities, only 6 (7%) reported having such services, while 78 (~93%) indicated their absence. In the few prisons where support is available, caregivers—often in the form of support staff or volunteer inmates—are engaged to assist prisoners with disabilities in meeting their daily needs (See RTI Table 2B.8, Annexure 2B).

KEY FINDINGS ON PROVISION OF AND DATA ON TRANSLATORS, INTERPRETERS AND SUPPORT STAFF FOR PERSONS WITH DISABILITIES

There is no unequivocal mandate on providing support services such as translators, interpreters for persons with disabilities. This is also reflected in lack of data on the presence of resources that can enable persons with disabilities to navigate the prison system smoothly.

4.2 Annual Training/ Sensitisation/ Awareness Programs for Prison Staff

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF TRAINING/ SENSITISATION/AWARENESS PROGRAMS FOR STAFF REGARDING PERSONS WITH DISABILITIES WITHIN THE PRISONS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	○	○	○
STATE	◐	○	

Figure 5.15: Inclusion mandate, data mandate and data availability status of disability awareness programs for Prison staff

THE DATA STORY

What we considered as a data point on disability awareness programs for staff:

We considered the number of annual training, sensitisation and awareness programs on disability that were conducted annually across different cadres of prison staff.

Why did we consider annual training, sensitisation and awareness programs on disability as an indicator of inclusion in prisons?

Annual training, sensitisation and awareness programs for prison staff about disabilities were considered crucial for fair and sensitive treatment of those with disabilities within the prison. The data variable (disability education) is critical from a human rights perspective particularly for state and government officials to ensure the protection, respect and dignity of all persons under their jurisdictions.[285]

Mandates for Annual Training / Sensitisation / Awareness Programs on Disability

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**No mandate to train and sensitise prison officers/staff**	Disability sensitisation and training programs (capacity building for state employees or those working in the state system) fall under Section 47(a) (Human Resource Development) of the RPwD Act, 2016. However, the mandate only covers a few government officials and justice providers namely Panchayati Raj Members, legislators, administrators, police officials, judges and lawyers. Section 47(a) will not apply to other prison staff.

[285] https://bprd.companydemo.in/uploads/library/pdf/1pdf-440aac62314c9ff53705f69d3237da7e.pdf#page=41

GUIDELINE LEVEL	GUIDELINE	DESCRIPTION
Central	**Section 8.6.5 and 8.6.7 of the Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres[286] under Accessible India Campaign (AIC), 2021**	**Section 8.6.5** Calls for prison staff to undergo training to understand and preserve the rights of persons with disabilities in prison. The Section appeals to prison officials to overcome their negative attitudes through regular training and sensitisation programs. **Section 8.6.7** Calls for the sensitisation of prison staff on persons with disabilities' emotional and psychological needs, particularly of women and girls with disabilities
	Training Manual of Basic Course for Prison Officers, 2017[287]	**The training manual provides courses that cover aspects of disability in their social work modules**
State	**Rule 1772 Goa Prison Rules[288] applies to Daman & Diu and Dadra & Nagar Haveli**	**Mandate special training sessions for staff engaged with prisoners who are senior citizens and persons with disabilities.** **"Special training sessions should be organised for the staff dealing with senior citizens, differently-abled prisoners, and mental health (disabilities) prisoners."**
	Rule 729(b) Uttarakhand Jail Manual, 2023[289]	
	Rule 1729 Delhi Prison Rules, 2018[290]	

Table 5.19: Mandates for annual training, sensitisation and awareness programs on disability

[286] Section 8.6, Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres# under Accessible India Campaign (AIC), 2021. https://www.mha.gov.in/sites/default/files/2023-11/Campaign_30112023.pdf
[287] https://www.mha.gov.in/sites/default/files/2022-12/TrainingPrisonOfficers_14112022%5B2%5D.pdf
[288] Rule 1772(b), Goa Prisons Rules, 2021. https://www.goa.gov.in/wp-content/uploads/2021/08/Goa-Prisons-Rules-2021-Official-Gazette.pdf
[289] Rule 729(b), The Uttarakhand Jail Manual, 2023. https://prison.uk.gov.in/files/english_Jail_manual,_2023.pdf
[290] Rule 1729, Delhi Prison Rules, 2018. https://tiharprisons.delhi.gov.in/sites/default/files/Tiharprisons/generic_multiple_files/delhi_jail_manual-2018_english.pdf

Is data available?

There is no publicly available data on the number of annual training and sensitisation programs (capacity building programs) across the states that mandate them and those that do not carry the mandate.



RTI data: Sensitisation programs

Among 80 responses that we received, only 20 (25%) confirmed the presence of sensitisation programs. However it is unclear if the programs they were referring to are related to disabilities. (See RTI Table 2B.9, Annexure 2B)

Sensitisation and Awareness Programmes for Prison Staff on Persons with Disabilities

Services	Total Responses	Available	Not Available
Conduct of sensitisation or awareness programs for prison staff on persons with disabilities	*80*	*20**	*60*

Table 5.20: Availability of special accommodation facilities in Prisons

**Not sure if the question was interpreted from a disability lens*



KEY FINDINGS ON PROVISION OF AND DATA ON TRAINING AND SENSITISATION PROGRAMS ON NEEDS OF PERSONS WITH DISABILITIES

There is no unequivocal mandate in the prison system on providing training and sensitisation programs to meet the needs of prisoners with disabilities. This is also reflected in lack of data on the number of sensitisation/ training sessions. This results in prisoners with disabilities facing brutal and challenging circumstances in the prison.

Realities of Prisoner and Prison Staff Relationships

Inhumane treatment of prisoners by prison staff due to their training and attitudes

The state's treatment of prisoners (in general) and those who may acquire a disability within the prison (often due to inflicted violence) leads to mistreatment and a lack of sensitivity among the prison staff.

> *"They [the staff] consider you criminals from the day you come into the jail. There is no proof of us being criminals, in fact, we aren't even criminals. We may be under trial. But their mentality is such that they believe you are one."*
>
> ~ Ex-Prisoner

> *"As you all know, prisons are places where there is violence; prison staff also feel the same way. When they hit you and you shout or cry or plead or show you are in pain, they feel you are lying [because you want sympathy so that they stop hitting you] and they hit you more. They aren't trained, they do not know. Their mentality is made up like this because their training itself is like this."*
>
> ~ Ex-Prisoner

For those with disabilities or those who acquire one due to violence, the treatment by the prison staff is worse; the treatment afforded often stems from their attitudes towards prisoners.

"Treatment of prison staff depends on the mood of the staff. If they are in a good mood, they will offer concessions to the person with a disability, if not they are treated like the other prisoners. The staff tells prisoners with disabilities that there are no separate facilities for them and that they are just like the other prisoners- that everything is common for all. This is how they behave with those with disabilities."

~ Ex-Prisoner

"The staff is insensitive to those who acquire disabilities within the prison. They blame the prisoners for engaging in violence [you engaged in violence, you bear the consequences]. They have no sympathy. If the family members file a petition against the staff, they ensure that the prisoner is punished further. They make the prisoner run around the ground. Their attitude is that if they do not move, the pain may increase. So they think it is better to move and bear the pain. If they don't, they are threatened with physical harm [beatings]."

~ Ex-Prisoner

Maltreatment by staff leads to prisoners with mental health disabilities

"For three, six months or one year that we are there, they treat us like this [so badly] that it impacts our entire lifetime. We do not go in like this, but we become like this at the end of our time in prison. People's mental abilities become so weak that they take medicines – if they start taking medicines they are considered "pagal" in jail. They do not sleep; they keep talking or they become completely mute. This is what the environment does to you. They [the staff] control every move of yours."

~ Ex-Prisoner

Prison staff's behaviour is not just their fault; they face their challenges. There are no processes in place to train staff on psychological aid for prisoners.

The staff have various constraints/ problems including insufficient resources, dealing with their mental health, poor pay and inhumane working conditions that are often overlooked when thinking about the prisoners themselves.

"I think it's a complicated picture because I don't think I can brush everything with the same color. From the prison staff's point of view, they will keep saying that they're not given sufficient resources. So please, when you start criticising, don't criticise us. Where are the resources for us to be able to do anything? And they will say things like- "You're talking about prisoner mental health and prisoner disability; what about our disability? What about our mental health needs?" In prison, the role that they (the staff) play is almost always to be on alert, like one's always on duty and the salary isn't as good. So there are concerns from that lens."

~Lawyer and Prisons Mental Health Expert

There are no resources/protocols that can help improve the present conditions in the jails/ prisons for those with mental disabilities (the disability that inflicts a large number of prisoners when incarcerated).

"Prison staff should be trained in psychological aid. But what standard of care should exist in prison? What protocols need to be put in place for specific populations? What do you want to consider as vulnerable populations? How are you going to respond to that? What should your care practices look like? None of that exists. "

~Lawyer and Prisons Mental Health Expert

4.3 Specialised Medical Personnel for Persons with Disabilities



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF SPECIALISED MEDICAL PERSONNEL VISITING PRISONERS WITH DISABILITIES (A. PHYSICAL, OCCUPATIONAL, AND SPEECH THERAPISTS, AND B. PSYCHOLOGISTS)

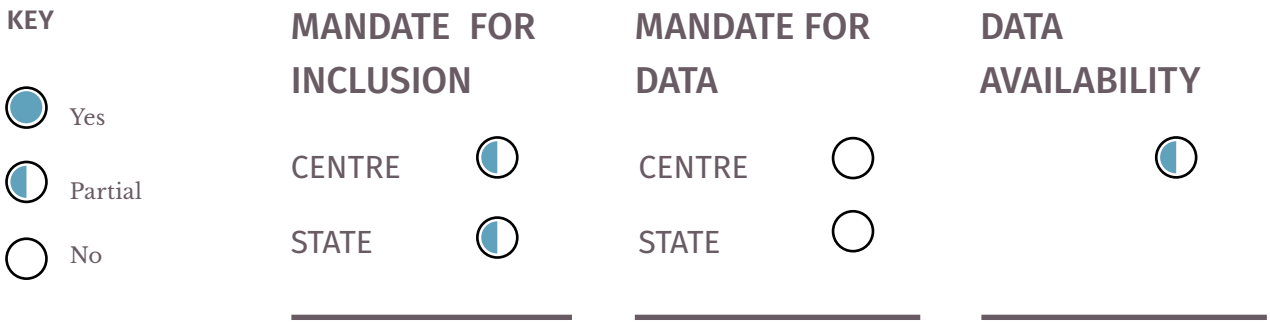


Figure 5.16: Inclusion mandate, data mandate and data availability status of disability awareness programs for Prison staff



THE DATA STORY

What we considered as a data point on the number of specialised medical personnel for persons with disabilities in prisons

We considered the number of different medical specialists including psychiatrists, psychologists, counselors, physical and occupational therapists and social workers who are important in supporting prisoners with disabilities (either for those entering with a disability or those acquiring a disability in incarceration) within the prison.

Why we considered availability of medical professionals as an indicator of inclusion of persons with disabilities

Persons with disabilities require (based on their disability) a certain and variable degree of medical care. Particularly in the prison system, prisoners are prone to acquiring disabilities at the time of incarceration.[291]

Mandates on the Availability of Specialised Medical Personnel for Persons with Disabilities in Prisons

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Partial Mandate**	Section 103(6) of the Mental Health Act, 2017, states that, "The appropriate Government shall set up a mental health establishment in the medical wing of at least one prison in each State and Union territory and prisoners with mental illness may ordinarily be referred to and cared for in the said mental health establishment."[292]
State	**Mandates for appointment of psychiatrists (16 States Prison Acts and Rules and Jail/ Prison Manuals)**[293]	Mandate the presence of psychiatrists for the treatment of prisoners with mental disorders

[291] https://bjs.ojp.gov/library/publications/disabilities-reported-prisoners-survey-prison-inmates-2016
[292] https://main.mohfw.gov.in/sites/default/files/Mental%20Healthcare%20Act%2C%202017_0.pdf
[293] Rajasthan, Mizoram, Odisha, Uttar Pradesh, Uttarakhand, West Bengal, Sikkim, Karnataka, Kerala, Tripura, Jammu and Kashmir, Punjab, Tamil Nadu, Goa, Madhya Pradesh, and Assam

MANDATE LEVEL	MANDATE	DESCRIPTION
State	Mandates for appointment of psychologists (14 states Prison Acts and Rules and Jail/ Prison Manuals)[294]	Mandate the presence of psychologists for the treatment and counseling of prisoners with mental disorders. Assam alone allows for the appointment of a psychologist or a psychoanalyst, within the prison system.[295]
	Mandates for appointment of Counselors (5 States Prison Acts and Rules and Jail/ Prison Manuals)[296]	Mandate for the appointment of counselors
	Mandates for the appointment of other professionals: Rule 436 and 485, Delhi,[297] Rule 409, Goa,[298] Rule 168, Uttarakhand[299]	Mandates physiotherapy facilities to care for prisoners with disabilities/ injuries in prison hospitals. However, there is no mention about the appointment of relevant trained professionals for the provision of appropriate treatment or care.

Table 5.21: Mandates on the availability of specialised medical personnel for persons with disabilities in Prisons

[294] Tripura, Rajasthan, Uttarakhand, Odisha, Mizoram, Goa, Assam, Madhya Pradesh, Delhi, J&K, Tamil Nadu, Puducherry, Karnataka, and Sikkim
[295] Section 8(2), Assam Prisons Act, 2013. https://prisons.assam.gov.in/sites/default/files/swf_utility_folder/departments/dirprisons_webcomindia_org_oid_7/menu/document/ASSAM%20PRISONS%20ACT%2C%202013.pdf
[296] Goa, Puducherry, Sikkim, Punjab, and Mizoram
[297] Rule 436 and 485, Delhi Prisons Rule, 2018. https://tiharprisons.delhi.gov.in/sites/default/files/Tiharprisons/generic_multiple_files/delhi_jail_manual-2018_english.pdf
[298] Rule 409, Goa Prisons Rules, 2021. https://www.goa.gov.in/wp-content/uploads/2021/08/Goa-Prisons-Rules-2021-Official-Gazette.pdf
[299] Rule 168, Uttarakhand Jail Manual, 2023. https://prison.uk.gov.in/files/english_Jail_manual,_2023.pdf

States that Mandate More than One Health Care Professional

State	Psychiatrists	Psychologists	Counselors	Physio facilities
Rajasthan	●	●	○	○
Mizoram	●	●	●	○
Odisha	●	●	○	○
Uttarakhand	●	●	○	●
Sikkim	●	●	●	○
Jammu and Kashmir	●	●	○	○
Karnataka	●	●	○	○
Tripura	●	●	○	○
Punjab	●	○	●	○
Goa	●	●	●	●
Madhya Pradesh	●	●	○	○
Assam	●	●	○	○
Tamil Nadu	●	●	○	○
Delhi	○	●	○	●
Puducherry	○	●	●	○
UP, WB, Kerala	●	○	○	○

Figure 5.17: States that mandate more than one health care professional

Additional Mandates for Mental Health Care

- **Medical officers are delegated the role of overseeing the care of prisoners with mental health disorders to ensure proper treatment. Jammu and Kashmir, West Bengal and Karnataka specify these under their Prison Rules.**
- **Haryana, Uttarakhand and Puducherry provide special provisions for the care of persons with mental illnesses including provisions for Cognitive Behavioural Therapy (CBT) and psychotherapy treatment to prisoners.**

Is data available?

Data on the number of psychiatrists/psychologists under the category correctional staff is released annually by the National Crimes Records Bureau (NCRB) in its Prisons Statistics Report.[300] The number of psychologists/psychiatrists is disaggregated by gender (i.e., NCRB keeps records of women psychologists and psychiatrists within the prison system by state/UT). The prison report details the number of posts available for mental health professionals per state; however, there is no data or records available on other specialised medical staff to cater to those with disabilities in the prison system.

Number of Psychiatrists and Psychologists Serving in the Prisons Per the NCRB, 2022

The NCRB Prisons Statistics Report of 2022 reveals a total of 69 sanctioned positions (58 for states and 11 for UTs) and 25 filled positions for psychologists/psychiatrists (21 for states and four for UTs) across state and UT prisons accounting for only 36.23% of the required staff strength.

[300] https://ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/psiyearwise2022/1701613297PSI2022ason01122023.pdf

RTI data: Specialised medical staff

Out of 81 prison responses on the availability of specialist medical staff, only 7 (8.6%) reported having such personnel, while 74 (91%) prisons indicated their absence. In most cases, specialist care is arranged only when needed, rather than being consistently available within the prison. Some facilities, like those that engage only a psychologist for counseling, do not have access to broader specialist services. However, District Jail in Alwar stands out as an exception, reporting access to a wide range of medical professionals including an ophthalmologist, gynecologist, ENT specialist, dermatologist, psychiatrist, and others (See RTI Table 2B.10, Annexure 2B).

Specialist Medical Staff in Prison

Services	Total Responses	Available*	Not Available
Availability of Specialist Medical Staff in Prison	*81*	*7*	*74*

Table 5.22:Specialist medical staff in prison

**Psychologists most commonly mentioned*

KEY FINDINGS ON PROVISION OF AND DATA ON MEDICAL/ HEALTH PROFESSIONALS FOR PERSONS WITH DISABILITIES IN PRISONS

There is no unequivocal mandate in the prison system on providing medical and health care specific to persons with disabilities in prisons. Data available is fragmented and restricted to mental health. The lack of data results in prisoners with disabilities facing an under-resourced system and challenging circumstances in the prison.

Poor medical care for prisoners with disabilities or for injuries that could lead to disabilities

The overall state of healthcare within prisons is poor, especially when it comes to those with a disability.

Cognitive disabilities, locomotor and visual disabilities have a high prevalence rate in prisons. The Bureau of Justice Statistics, United States, collects such data indicating the magnitude of the prevalence of disability within the system and the need for the State to address these issues through adequate and appropriately trained medical staff. Therefore, such information is important in the Indian context as well.

"The only need that prisons are thinking of is medical needs. What medicine do you need? What medicine should I provide? It's not thinking from the disability lens, whether physical or mental, or from a social, structural, or environmental lens. It's thinking of it from a medical-only route."

~Lawyer and Prisons Mental Health Expert

No one is asking, "What do you need to adjust in prison? What do you (as a person with disability) need to navigate prison life or the criminal justice system or court?"

"The medical officer (within the OPD of the prison hospital) prescribes basic medicines like Paracetamol even if they have more serious problems."

~ Ex-Prisoner

[301] https://bjs.ojp.gov/library/publications/disabilities-reported-prisoners-survey-prison-inmates-2016

There is a lack of support within the medical system and the attitudes of the medical staff towards disability is poor.

"The medical staff is insensitive to the needs of those with disabilities during the prisoners' weekly medical check-ups. They feel that they are permanently disabled and therefore, would not need any additional care."

~ Ex-Prisoner

"I knew a person who had bullet wounds in his foot. He couldn't walk. He had to get all his disability documentation on his own. There is no 'sevadhaar' or staff to help. He braved the disability but after he completed his work, he was in extreme pain and they had to refer him to the hospital for treatment. Even when in extreme pain and bleeding from his foot, there is no one to help [to medicate or stop him from bleeding or even reduce his pain]. It takes two hours for a response after being referred to a hospital. The process took that long."

~ Ex-Prisoner

Mental health care for prisoners is inadequate due to a lack of specialised staff and systems in place to support the care, but it is not the fault of the prison system at large.

There is no systematic way mental health screening is happening within the prisons. There is a severe shortage and a non-availability of qualified professionals. Mental health or any disability is generally self-declared when the first medical examination is done at the time of entering the prison.

"There are psychologists but there is one psychologist for every 1000-2500 prisoners. In UP, we have one for 20,000 prisoners. Their work timing is 9-5 (government time), how can they visit so many prisoners? "

~ Ex-Prisoner

The lack of proper healthcare and adequate staff is not the fault of the prison system, but of the overall healthcare system. Prisons are ill-equipped to understand mental health from the perspective of the prisoner (patient-centric care) and the effect that the system has on prisoners ultimately takes a toll on their mental health.

"I think that is more a fault of our health services than actually prison services, because the state of health, healthcare is very poor. It's very low, but mental health is very, very poor. Prisons need a lot more mental health professionals than there are. Prisons need a lot more medical general physicians than there exists and prisons can only do so much. Where are the health services? I think ***when we think of the Ministry of Health, we are not thinking of their programs, policies and requirements being implemented in prisons.*** *And so this conversation of prisons is cut off from the world. They're cut off from the Ministry."*

~Lawyer and Prisons Mental Health Expert

"I don't think there is a comprehensive policy towards persons with disabilities in prisons. When I say comprehensive, I mean that while there are the minimum requirements for medicines for certain mental illnesses, one is not able to respond to persons with different kinds of mental health needs. Now, you put them in one basket. But there could be different needs that a person has, so I don't think it's coming from a lens of, "What do you need to adjust in prison? What do you need to navigate prison life or the criminal justice system or court?" So you see that there is very little being done to capture the actual state of prisons vis-a -vis people with disabilities; so the prison system itself does not know what they need. because no one's asking them to look for it or saying that it's a necessary part of human diversity and that they need to be able to respond."

~Lawyer and Prisons Mental Health Expert

State Mental Health Establishments

Section 103(6) of the Mental Health Act, 2017, states that, "The appropriate Government shall set up a mental health establishment in the medical wing of at least one prison in each State and Union territory and prisoners with mental illness may ordinarily be referred to and cared for in the said mental health establishment."[302]

"So in mental health establishments, I think you might require slightly different guidelines for prisons than the general community. I'm just going to look up the definition of mental health establishment, because, I mean, my worry is, what are the standards to be called a mental health establishment? And I think my worry is coming more from the fact that the approach to mental health in prisons is centered around- "They need medicine, let's provide them medicine". It's very similar to how mental health care was implemented in the 1800s and early 1900s."

~Lawyer and Prisons Mental Health Expert

[302] https://main.mohfw.gov.in/sites/default/files/Mental%20Healthcare%20Act%2C%202017_0.pdf

This mandate is to ensure that there is a dedicated establishment for the treatment of prisoners with mental illnesses beyond the prison's capacity to provide for them. The mandate becomes critical when there are no specialised medical staff within prisons to care for the mental health of the prisoners.

"Dehradun has no dedicated psychologist and the prisoner is referred to the State Mental Health Establishment."

However, mental health establishments in prisons are not designed to care for persons with mental disabilities. They help house prisoners with mental illness rather than provide positive rehabilitative actions.

"Some prisons will have what is known as a psychiatric ward, but that psychiatric ward is one general barrier - it just houses people with mental health issues. It's not geared to respond to the treatment and care needs of persons with mental disabilities. So it [the psychiatric ward] will be very similar to any other barrack in the prison, unlike a hospital ward, which will have proper beds and other facilities. But when [the care and rehabilitation of] psychiatric patients are considered, (I think I might be too harsh here) it is more a housing issue rather than a care issue."

~Lawyer and Prisons Mental Health Expert

Since there is no data available on the number of state mental health establishments per Section 103(6) across the states and UTs, the extent of their functionality and manner of functioning is not known. While the State Mental Health Authority has passed certain rules on mental health establishments, it is not uniform across states. Health and prisons are a state subject and therefore, due to irregular implementation and lack of data, it is unclear whether these centers are effective.

4.4 Specialised Rehabilitation Programs for Reintegration into Society Post-release for Prisoners with Disabilities

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF SPECIALISED REHABILITATION PROGRAMS FOR REINTEGRATION INTO SOCIETY POST-RELEASE FOR PRISONERS WITH DISABILITIES



Figure 5.18: Inclusion mandate, data mandate and data availability status of number of specialised rehabilitation programs for reintegration into society post-release for prisoners with disabilities

THE DATA STORY

What we considered as rehabilitation programs for persons with disabilities

We considered the number of inclusive rehabilitation programs that help prisoners with disabilities reintegrate into the community. These programs include skill training, educational programs, medical rehabilitation programs and systemic linkages to ensure sustained and effective reintegration.

Why we considered the number of inclusive rehabilitation programs as an indicator of accessible prisons

Post-incarceration rehabilitation programs are important to reintegrate prisoners into the community and include a variety of skill training and educational programs (vocational and educational training).[303] Additionally, many prison programs are conducted by different NGOs to ensure that prisoners smoothly transition into society. NGOs often take away the burden on the state to provide continued support for prisoners.[304] For those with disabilities, reintegration into society will require additional support and typically different types of rehabilitation measures (including medical rehabilitation – aftercare) to ensure effective reintegration into society. Therefore, this data variable was considered for understanding the type of accommodations provided to persons with disabilities concerning reintegration into society. This data becomes more important when we consider those who acquire a disability within the prison system (i.e. who have no experience of living with the disability in the "outside" context).

Mandates on Inclusive Rehabilitation for Prisoners with Disabilities

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**No Mandate**	NA

[303] https://ijirl.com/wp-content/uploads/2022/01/PRISON-REFORMS-IN-INDIA-ABSENCE-OF-A-REHABILITATION-APPROACH.pdf
[304] For example: https://prisons.tn.gov.in/reformation.htm#:~:text=In%20order%20to%20transform%20the,Maavuthan%20Seva%20Samithi%2C%20Vepery%2C%20Chennai

MANDATE LEVEL	MANDATE	DESCRIPTION
State	**Mandates for aftercare/post-release care (9 States' Prison Acts and Rules and Jail/ Prison Manuals)[305]**	Call for special attention to be provided post-release to vulnerable individuals including those with disabilities in prison. Karnataka and Puducherry provide for the need to tailor care based on the individual needs of the person and the social situation they may enter post-release. For these two states, the rules are more universal and inclusive, and hence those with disabilities can be taken care of based on the holistic rules by the two states.
	Mandates for vocational training and skill development programs for self-employment (4 States Prison Acts and Rules and Jail/ Prison Manuals)[306]	Provide for vocational training and skill development for those with disabilities to ensure self-employment opportunities for them post-release
	Mandates for work programs (5 States Prison Acts and Rules and Jail/ Prison Manuals)[307]	Special consideration to be given to those with mental and physical disabilities during the organisation of work programs within prisons

[305] Odisha, Mizoram, Goa, Uttarakhand, Haryana, Sikkim, J&K, and Tripura, Ladakh
[306] Delhi, Goa, Uttarakhand, and Haryana
[307] Odisha, Mizoram, Goa, Rajasthan, and Tripura

MANDATE LEVEL	MANDATE	DESCRIPTION
State	**Mandates for provision of market linkages (3 States Prison Acts and Rules and Jail/ Prison Manuals)**[308]	Mandate for market links post-release specifically for those with intellectual and developmental disabilities to ensure sustained livelihood opportunities

Table 5.23: Mandates on inclusive rehabilitation for prisoners with disabilities

Prisoner-Centric Mandates

Bihar mandates provision of educational and skill programs based on the initial assessment of the needs of the prisoners. Rule 55 states that prisons, "shall ensure that all prisoners, within 48 hours of their admission are classified according to their age, legal status, physical and mental health needs, criminological needs, length of sentence, security needs, aptitude and needs regarding reintegration into the community and shall constitute groups among them for administration of institutional treatment in the form of educational and vocational training."[309]

Is data available?

There is no publicly available data on the specialised programs offered to persons with disabilities to aid their reintegration into society from a medical and livelihood perspective.

[308] Delhi, Goa, and Uttarakhand
[309] Rule 55, Bihar Prison Manual, 2012. https://home.bihar.gov.in/CMS/BiharPrisonMannual/prisonNewEn.pdf

RTI data: Specialised rehabilitation programs

Among the 84 prisons that responded to the question on specialised rehabilitation programs for persons with disabilities, only 15 (17.8%) reported having such programs, while 69 (82%) stated they were unavailable. The programs mentioned—ranging from basic computer training to tailoring, carpentry, weaving, soap production, and bakery work—appear to be general vocational activities rather than disability-specific rehabilitation efforts. With the exception of a few responses from Andhra Pradesh, it remains unclear whether most prisons interpreted the question from a disability-focused perspective.

Specialised Rehabilitation Programs for Persons with Disabilities in Prisons

Services	Total Responses	Available*	Not Available
Specialised rehabilitation programs for persons with disabilities	*84*	*15*	*69*

Table 5.24: Specialised rehabilitation programs for persons with disabilities in Prisons

**Rehabilitation programs include training sessions in basic computer, tailoring, carpentry, weaving, soap production, steel unit, bakery and electrical work. Not sure if the question was interpreted from a disability lens except for responses from Andhra Pradesh*

KEY FINDINGS ON PROVISION OF AND DATA ON REHABILITATION PROGRAMS FOR PERSONS WITH DISABILITIES IN PRISONS

There is no unequivocal mandate on providing disability responsive rehabilitation programs in prisons. Data available is fragmented and varies from state to state. The lack of data results in prisoners with disabilities facing an under-resourced system and challenging circumstances after their release from the prison.

There are challenges with the manner in which implementation of rehabilitation and vocational training programs are set up in the prisons.

a. Gendered lens to vocational training:

The provisions of different skill training classes (rehabilitation programs) have a gendered lens in prisons, which is problematic as it limits the breadth of skills acquired, particularly for women.

"The only need that prisons are thinking of is medical needs. What medicine do you need? What medicine should I provide? It's not thinking from the disability lens, whether physical or mental, or from a social, structural, or environmental lens. It's thinking of it from a medical-only route."

~Lawyer and Prisons Mental Health Expert

b. Limited access to educational programs in all jails for those with disabilities:

Despite there being access to educational programs offered by Indira Gandhi National Open University (IGNOU) in jails, it is limited to the larger jails; it must trickle to the sub-jails and district jails as well.

"The thing is that prisoners have access to IGNOU. So they often take IGNOU classes to educate themselves. We have clients who've done multiple advanced degrees like, you know, food, nutrition or public policy; so access is there. And I think if we can help reach it to sub jails and district jails then [it would be] amazing."

~Lawyer and Prisons Mental Health Expert

c. Staff attitude toward persons with disabilities remains a problem:

While learning for those with disabilities is encouraged by the staff, they do not provide the necessary infrastructure to enable such learning. Staff and even fellow inmates' attitudes come in the way of accessing education for persons with disabilities.

"They send you to school, mandatorily. But they do not have seating for those with disabilities. The staff say that the chairs are for the teachers or officers... "Do you think you are one of them or are you trying to be equal to them?" [As a result] The person with disability struggles to sit on the floor.

Prisoners also feel that a prisoner with a disability is given a better position if he is offered a chair to sit. They feel that the person with disabilities is getting better or more facilities than them."

~Prisons

d. Post-release care in the community is often missing and not accessible:

This is particularly true for prisoners with mental illnesses where care outside is often unavailable, very expensive and not easily accessible. Additionally, this is complicated by the lack of awareness on the part of the prisoner about where to seek services and whom they must contact to access these services.

"There is no linking of prison services to outside rehabilitation services. So for instance, if I'm a person with mental disability or mental illness and let's say I need treatment- what is our prison population composed of? It's composed mostly of people who are poor, and so, often it's in prison that they may even for the first time get treatment. So now, when I'm outside, it is very likely I will not follow up with my treatment. Because one, it's expensive. Mental health care is very expensive. Two, I need to know where I need to go. So if I'm in a village, what is my district mental health program like, and who do I reach out to?"

~Lawyer and Prisons Mental Health Expert

4.5 Accessible Recreational Facilities for Persons with Disabilities



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF NUMBER OF ACCESSIBLE RECREATIONAL FACILITIES THAT ENABLE PRISONERS WITH DISABILITIES TO PARTICIPATE

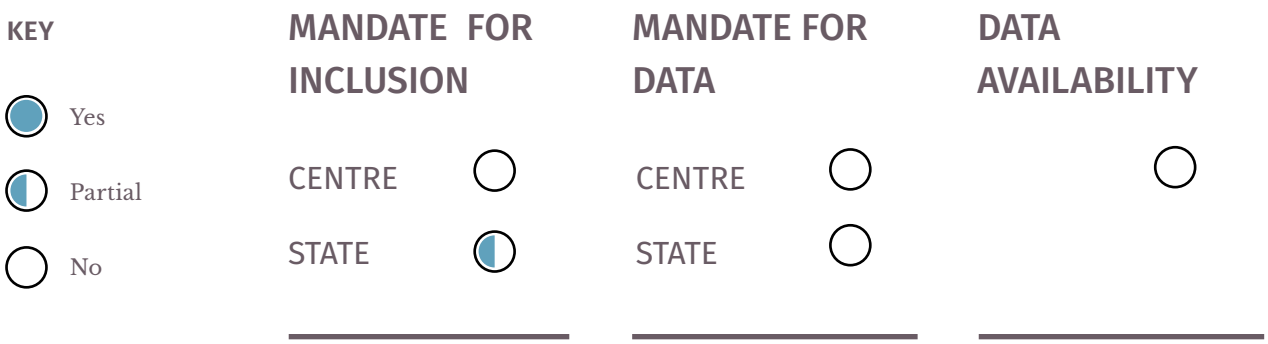


Figure: 5.19: Inclusion mandate, data mandate and data availability status of number of accessible recreational facilities that enable prisoners with disabilities to participate



THE DATA STORY

What we considered as a data point on recreational facilities for prisoners with disabilities:

We considered the number of inclusive recreational activities for prisoners with disabilities. These included programs that encouraged reading, expressive art forms, entertainment and sports.

Why we considered accessible recreational activities in prisons as an indicator of inclusion of persons with disabilities

Recreational activities within the prison system are offered to prisoners to provide opportunities for physical fitness and social interaction to relieve the prisoners from mental health stresses.[310, 311] To provide a similar opportunity for those with disabilities, recreational facilities must accommodate them. Therefore, this data point was considered critical for the holistic participation of those with disabilities and to relieve them from the multi-faceted burden faced by them within the jail/prison.

Mandates on Accessible Recreational Facilities for Prisoners with Disabilities

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**No Mandate**	NA

[310] For example: https://prisons.tn.gov.in/amenities.htm#:~:text=Recreation%20%3A,and%20badminton%2C%20tennicoit%2C%20music.
[311] For example: https://chdmodeljail.gov.in/pages/recreationactivity#:~:text=The%20inmates%20are%20provided%20sports,in%20the%20jail%20every%20year.

GUIDELINE LEVEL	GUIDELINE	DESCRIPTION
Central	**Section 8.6.6 of the Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres[312] under Accessible India Campaign (AIC), 2021**	Calls for prisons to provide accessible reading material for those with visual disabilities. Additionally, the guidelines propose the appointment of a "special officer" who will be responsible for ensuring the implementation of such measures to help cultivate positive attitudes towards prisoners with disabilities.
State	**Rule 692(i) (Uttarakhand), Rule 1881 (Goa) and Rule 1832 (Delhi)**	"The Superintendent shall, without discrimination, provide education and opportunities for sports and recreation activities equally with others and provide necessary support individualised or otherwise in environments that maximise academic and social development consistent with the goal of full inclusion."
	Rule 693 (Uttarakhand), Rule 1890 (Goa) and Rule 1840 (Delhi)	"The prison library should contain books, print material in braille, large prints and audio to facilitate the learning and education of such prisoners."[313, 314, 315]

Table 5.25: Mandates on inclusive recreational facilities for prisoners with disabilities

[312] Section 8.6, Accessibility Guidelines for MHA Specific Built Infrastructures & Associated Services for Police Stations, Prisons & Disaster Mitigation Centres# under Accessible India Campaign (AIC), 2021. https://www.mha.gov.in/sites/default/files/2023-11/Campaign_30112023.pdf
[313] https://tiharprisons.delhi.gov.in/sites/default/files/Tiharprisons/generic_multiple_files/delhi_jail_manual-2018_english.pdf
[314] https://www.goa.gov.in/wp-content/uploads/2021/08/Goa-Prisons-Rules-2021-Official-Gazette.pdf
[315] https://prison.uk.gov.in/files/english_Jail_manual,_2023.pdf

Is data available?

There is no publicly available data on the number of accessible (including type of accommodations) recreational facilities across the states that mandate them and those that do not carry the mandate.



RTI data: Accessible recreational facilities

Out of 89 responses to this question, we received 55% responses confirming the presence of recreational activities for prisoners with disabilities. However it is not clear if these are tailored to meet disability specific accommodations.

Recreational Facilities for Prisoners with Disabilities

Services	Total Responses	Available	Not Available
Recreational facilities	*89*	*49*	*40*

Table 5.26: Recreational facilities for prisoners with disabilities

Recreational facilities include newspapers, indoor games, reiki classes, a library, yoga classes and musical instruments - not clear if the responses were interpreted from a disability lens.



KEY FINDINGS ON PROVISION OF AND DATA ON RECREATIONAL FACILITIES FOR PERSONS WITH DISABILITIES IN PRISONS

There is no unequivocal mandate on providing disability inclusive recreational facilities in prisons. The lack of data results in prisoners with disabilities facing an under-resourced system and challenging circumstances.

There are positive perceptions and ready inclusion of prisoners with disabilities to participate in recreational activities, but the larger challenges in infrastructure access and attitudes toward disabilities stifle the implementation of meaningful inclusion.

Prisons have braille books (but problems of access to the library remain).

"They do have books for those with disabilities at the library, but the problem is that they are not able to access the library because they cannot reach it."

Inclusion of persons with disabilities in recreational activities are based on their talents rather than what the prison system can offer them. Therefore, the extent to which other recreational activities such as sports are inclusive is not clear.

"The prison staff wants those with disabilities to participate in all activities. They want everyone to participate in different activities. They encourage talent after they assess it. But they do feel what can a blind person do, what can a person with a disability do. I remember there was one person with a disability who played chess well, another person with blindness played Casio and there was one who sang and was encouraged to go to different jails to sing."

~ Ex-Prisoner

The current model of "inclusion" of prisoners with disabilities does not allow them to exercise much agency and autonomy (to the extent allowed within the prison system/as much as those without disabilities) due to barriers in access.

"But I think the problem is that the approach to that is- 'Oh, let's have something for them to do, oh, they also have talent'. It's a very patronising approach, which for me, is a big problem when we talk about disability. To me, the specific program that you need to design for persons with mental disabilities need not be just that. If you give them full access to whatever it is that prisons offer, that should be enough."

~Lawyer and Prisons Mental Health Expert

RECOMMENDATIONS FOR DISABILITY INCLUSIVE SYSTEM RESPONSES FOR PERSONS WITH DISABILITY IN THE PRISON SYSTEM

CHALLENGE	RECOMMENDATIONS	STAKEHOLDERS
Lack of adequate staff and facilities to enable holistic medical care, development and participation of persons with disabilities within prisons	1. Aftercare programs and skill training must be made meaningful for those with disabilities. Appropriate market and NGO linkages should be formed from within the system before release. 2. For those with mental health conditions or other disabilities, awareness and links to care and housing must be ensured before the release of the prisoners 3. Skill training and recreational participation must be from the perspective of the person with disabilities such that they preserve their autonomy and choice 4. Appropriate links should be made for timely and appropriate medical care for those with mental and physical disabilities. Where there is inadequate staff, other avenues for care must be sought and facilities such as telemedicine should be utilised to lessen the burden on a few medical staff. Investments must be made in public health facilities and government hospitals to expand opportunities for care for prisoners with disabilities.	1. State Prison Departments 2. NGOs working in the fields of disabilities/ mental health/ health/ skilling 3. Ministry of Home Affairs 4. Public health facilities/ state-funded health care centers and hospitals (Ministry of Health and Family Welfare)

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Lack of data on programs, specialised medical staff, and facilities for the care and participation of people with disabilities	1. Data must be maintained on the types of skill training programs, facilities provided and the cascade toward rehabilitation 2. Data on the type of recreational activities that the prisoners with disabilities engage in must be maintained. In addition, data on the facilities provided for such persons must be recorded. 3. For medical facilities, all medical staff within the purview of the prison system must be counted. This is to document the capacity of the prison to provide varied care for its prisoners. 4. Lastly, data on various support staff such as sign language interpreters, braille training professionals and other communication staff must be maintained	1. DG Prisons 2. Home Minister of States 3. Prison medical officers and other medical/ correctional staff
Attitudes towards prisoners and disabilities among prison staff and even other prisoners are poor	There is a need for overall awareness creation and sensitisation of prison staff and the community on the treatment of those with disabilities in prison to ensure full participation and fair treatment within the system. The fifteenth report by the Standing Committee on Social Justice and Empowerment, Article 13(2) emphasises training of all police and prison staff to ensure effective access to justice for persons with disabilities.[316]	1. Disability Rights Activists 2. NGOs 3. Department of Empowerment of Persons with Disabilities (DEPwD) and respective state disability departments

Table 5.27: Recommendations for disability inclusive system responses for persons with disabilities in the Prison system

[316]http://164.100.60.131/lsscommittee/Social%20Justice%20&%20Empowerment/16_Social_Justice_And_Empowerment_15.pdf

5.4 Key Takeaways and General Recommendations for the Prison System in India

	CHALLENGES	RECOMMENDATIONS
At the Inclusion Mandate Level	**RPwD's applicability fails within harsh and restrictive environmental realities of the prison system:** The RPwD Act and Rules do not apply to all aspects of inclusion within the prison system due to the very nature of the prison system (harsh, closed and restrictive),[317] thus limiting state directives towards inclusion of prisoners with disabilities	DePWD/MSJE to include prison systems in its programming to drive accessible public spaces for persons with disabilities. While inclusion of persons with disabilities can be anchored by the DePWD/ MSJE, convergence with initiatives of health, education, skilling/ livelihoods is imperative. Disability nonprofit initiatives and prison reform initiatives may also include disability focussed programming to create models of inclusion in prisoner well-being, mental health, livelihoods/ skilling/ rehabilitation and systemic empathy building.
	Limited view of the pillars constituting the justice system in the RPwD Act: Section 12 of the RPwD Act limits the view of access to justice to the courts and judicial bodies, restricting its applicability to the prison system	Amend the RPwD Act to provide explicit mandate for inclusive prison systems

[317] https://www.livelaw.in/top-stories/supreme-court-issues-notice-on-pil-seeking-strict-implementation-of-rights-of-persons-with-disabilities-act-in-prisons-286824#:~:text=While%20the%20RPwD%20legislation%20exists,restricted%20nature%20of%20the%20environment.%22

	CHALLENGES	RECOMMENDATIONS
At the Inclusion Mandate Level	**Most prison manuals are outdated; some were drafted in the 1800s:** Prison manuals/ rules for most states/UTs are outdated; they still use terms like 'infirm' and 'lunatic'. The prison manuals do not align with the values of the UNCRPD 2007, of preserving the human rights and dignity of those with disabilities within prisons/jails.	Update state and UTs Prison Acts and Rules as per the Model Prison Manual, 2016, and uniformise them to ensure equal treatment, provision of reasonable accommodations and access to facilities such as toilets, accessible cells, libraries and other recreational activities, digital technology, rehabilitation programs and so on for prisoners with disabilities.[318]
At the Data Level	**There is severe paucity of data that helps understand the conditions for people with disabilities in prison:** Overall lack of data on disabilities within the system across the different categories; the paucity of data creates unaccountable systems, which worsens the conditions for those with disabilities within prisons	• Data collection must be more systematised within prisons. Timely, accurate, robust data must be maintained by officials on the numbers of those with disabilities, facilities offered for those with disabilities and personnel present to support the needs of those with disabilities. [A sample checklist/ template to facilitate data collection and reporting towards an inclusive systemic response is included under Part 4 of this report]. • Data can be published in the public domain to assess prisoners with disabilities, facilities as required and facilities provided to such prisoners by different stakeholders (such as researchers/academicians, NGOs/civil society organisations and think tanks). This will build accountability in the prison system.

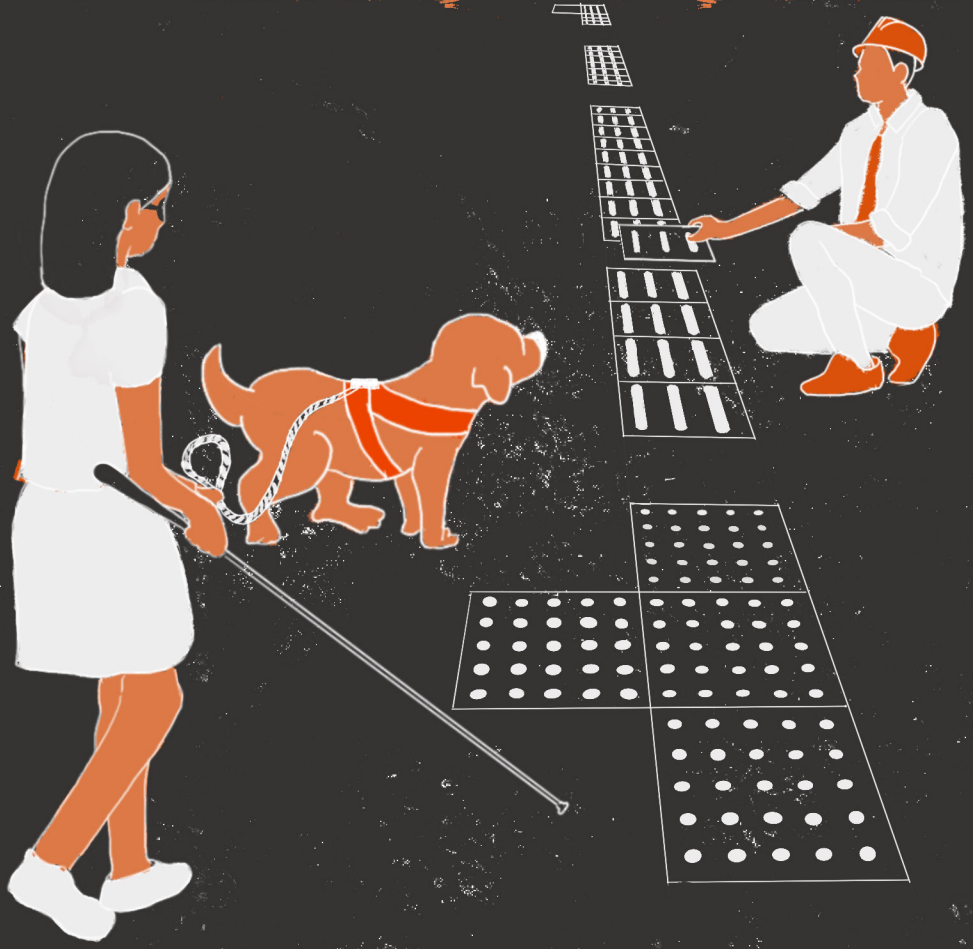
[318]https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/uploads/2024/11/2024110677.pdf

	CHALLENGES	RECOMMENDATIONS
At the Data Level	In instances where data is captured, it reflects a general lack of understanding of disability, the needs of a person with disabilities and the basic human rights and dignity that needs to be afforded to the person: Lack of comprehensive reporting on prevalence rates of disabilities beyond mental illness could reflect: • The inability of the system to capture data on other disabilities • Too few persons with disabilities within the system for the State to take adequate measures to count them Additionally, lack of adequate measures taken to accommodate persons with disabilities or the lack of reporting could reflect: • No measures taken to support • A medical model of consideration of disability within the prisons such as having a wheelchair within the premises only reflects a medical accommodation rather than a human rights one • Reporting the presence of western toilets as "accessible" shows the limited understanding of what accessibility and accessible standards within prisons are	• A broader view (i.e. a more human rights based one) of disability needs to be taken to ensure meaningful and impact-creating data variables are created and collected within the system • Adequate training and sensitisation must be done for prison staff to ensure steps are taken towards equitable prison systems • Incentivise data collection within prisons on disabilities and place responsibilities within the system to ensure data capture

Table 5.28: Key takeaways and general recommendations for the prison system in India

6. Disability & the Judiciary





6.1. Introduction

PERSPECTIVES ON DISABILITY INCLUSION IN INDIA'S HIGH COURTS

Persons with disabilities are disproportionately impacted by both criminal and civil legal systems.[319] They are more likely to be victims of crime[320] and more likely to be poor and hence are less likely to be able to afford legal support.[321] They are also more likely to face barriers at every stage of the legal process: as victims, accused persons, litigants, or witnesses. These barriers range from discriminatory treatment by the police and carceral system to inaccessible court infrastructure and lack of legal representation that understands disability-related needs. In many instances, persons with disabilities are either excluded from the process entirely or are unable to participate meaningfully in it. Yet despite this persistent marginalisation, their experiences in the justice system remain largely undocumented.

"I think that there needs to be a greater push to have these (accessibility) committees. And we'll get there. It'll take time. Once you have the committee, then everything else falls into place."

Disability Rights Activist and Advocate

Building a more inclusive judiciary begins with better data. When courts systematise and analyse disability disaggregated data, they gain a better understanding of who is accessing justice; and who is left out.

[319]https://www.mdpi.com/2076-0760/11/6/255
[320]https://www.justice.gov/d9/2023-12/access_to_justice_is_disability_access_fact_sheet.pdf
[321]https://www.justice.gov/d9/2023-12/access_to_justice_is_disability_access_fact_sheet.pdf

This kind of data allows courts to identify barriers, track the effectiveness of accessibility measures, and design reforms that respond to the real needs of court users with disabilities. More than just a tool for internal efficiency, data becomes a means of inclusion. It ensures that persons with disabilities are visible within the system and that their rights are acknowledged in law and supported in practice.

ACCESS TO JUSTICE FOR PERSONS WITH DISABILITIES: OBLIGATIONS UNDER INTERNATIONAL AND NATIONAL FRAMEWORKS

Access to justice is a foundational element of the rule of law,[322] and its realisation for persons with disabilities is both a statutory guarantee and an international human rights obligation. The United Nations Convention on the Rights of Persons with Disabilities, to which India is a signatory, affirms the right of persons with disabilities to effective access to justice on an equal basis with others, including through appropriate procedural accommodations.[323] This mandate has been adopted through Section 12 of the Rights of Persons with Disabilities Act, 2016 ["RPwD Act"] which explicitly calls for the removal of barriers across all stages of legal proceedings and the creation of accessible judicial systems.

In order to enable state parties to design and implement justice systems that are accessible for persons with disabilities, the UN Special Rapporteur on the rights of persons with disabilities has also published a practical tool titled "The International Principles and Guidelines on Access to Justice for Persons with Disabilities."[324] These principles provide a comprehensive framework, outlining key provisions that state parties should adopt to ensure equitable and effective access to justice for persons with disabilities.

[322]https://social.desa.un.org/sites/default/files/migrated/15/2020/10/Access-to-Justice-EN.pdf
[323]Article 13, United Nations Convention on the Rights of Persons with Disabilities
[324]https://www.ohchr.org/en/special-procedures/sr-disability/international-principles-and-guidelines-access-justice-persons-disabilities

Excerpts from the International Principles and Guidelines on Access to Justice for Persons with Disabilities

Principle	Excerpt
Principle 2	Facilities and services must be universally accessible to ensure equal access to justice without discrimination of persons with disabilities.
Principle 3	Persons with disabilities, including children with disabilities, have the right to appropriate procedural accommodations.
Principle 5	Persons with disabilities are entitled to all substantive and procedural safeguards recognised in international law on an equal basis with others, and States must provide the necessary accommodations to guarantee due process.
Principle 7	Persons with disabilities have the right to participate in the administration of justice on an equal basis with others.
Principle 8	Persons with disabilities have the rights to report complaints and initiate legal proceedings concerning human rights violations and crimes, have their complaints investigated and be afforded effective remedies.
Principle 9	Effective and robust monitoring mechanisms play a critical role in supporting access to justice for persons with disabilities.
Principle 10	All those working in the justice system must be provided with awareness-raising and training programmes addressing the rights of persons with disabilities, in particular in the context of access to justice.

Table 6.1: Excerpts from the international principles and guidelines on access to justice for persons with disabilities

DATA: THE MISSING LINK IN ENABLING ACCESS TO JUSTICE

Despite these frameworks, implementation remains fragmented and inconsistent. One of the most persistent challenges in ensuring judicial access for persons with disabilities is the lack of reliable, disaggregated, and comprehensive data. Internationally, as well as in India, there is an absence of public data on the number of persons with disabilities accessing the justice system, the nature of accommodations provided, and the accessibility of judicial infrastructure.

Article 31 of the UNCRPD imposes a clear obligation on State Parties to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies that give effect to the

"Collecting data on persons with disabilities and on the barriers they face is a human rights obligation under article 31 of the Convention."[325]

- Report of the Office of the United Nations High Commissioner for Human Rights

The UNCRPD stands out among international human rights instruments in its explicit recognition of data collection as a prerequisite for rights realisation. Although the RPwD Act draws heavily on the principles of the UNCRPD, it conspicuously omits the mandate for data monitoring and evaluation.

The Jakarta Declaration also considers closing disability gaps as a priority area for 2023-2032.[327] For persons with disabilities, being counted is the first step toward being protected. It enables the measurement of discrimination and the enforcement of rights. The failure to collect and use data constitutes a breach not only of Article 31 but also undermines other rights, including equal recognition before the law[328] and access to justice.[329] For instance, if courts do not maintain records on the number of litigants with disabilities or the frequency of accommodations provided (such as sign language interpretation or accessible digital formats), they lack the evidence base necessary for reform.

[325]https://www.ohchr.org/sites/default/files/2022-06/G2139630-Accesible.pd
[326]Article 31, United Nations Convention on the Rights of Persons with Disabilities
[327]Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities, 2023–2032
[328]Article 12
[329]Article 13

ABSENCE OF JUDICIAL DATA ON PERSONS WITH DISABILITIES

The Indian judiciary has, in recent years, begun to adopt digital infrastructure and data-driven tools to improve transparency, efficiency, and public accountability. Initiatives like the National Judicial Data Grid (NJDG) and the digitisation of court records have created expansive data systems that track case pendency, disposal rates, and court performance. However, these advancements are undercut by a glaring omission: the complete invisibilisation of persons with disabilities within these data systems.

The judicial system does not collect, disaggregate, or publish data on disability. There is no central record of how many persons with disabilities appear before courts, the kinds of legal issues they face, whether accommodations are provided, or whether courts are compliant with accessibility standards.

Even within the NJDG[330], while case-level data is collected in detail, there is no provision to capture the number of litigants with disabilities. Pendency data is routinely cited as evidence of judicial backlog, yet there is no attention to how delays could disproportionately affect persons with disabilities.

Data is foundational to accountability. Without it, exclusion cannot be measured, progress cannot be tracked, and non-compliance cannot be challenged. Comparative practices expose the depth of this deficiency. The UK Judicial Diversity Statistics, for instance, publicly reports on the representation and participation of persons with disabilities in the judiciary and the legal system.[331] This sets a strong example of how data can support rights-based inclusion. In contrast, the lack of any similar system in India is a missed opportunity.

[330]https://njdg.ecourts.gov.in/njdg_v3/
[331]https://www.gov.uk/government/statistics/diversity-of-the-judiciary-2024-statistics/diversity-of-the-judiciary-legal-professions-new-appointments-and-current-post-holders-2024-statistics

JUDICIAL INITIATIVES TOWARDS DISABILITY INCLUSION

Historically, persons with disabilities have been systematically excluded from public and legal systems, including the judiciary. This exclusion was compounded by physical, procedural, and attitudinal barriers, leaving them marginalised in terms of both legal protection and participation. However, there has been notable progress in recent years.



The judiciary, recognising the need for reform, has initiated measures, both through judicial pronouncements and administrative measures, to enhance access to the judicial system for persons with disabilities.

A. The Supreme Court Accessibility Report

The Supreme Court's 2024 Accessibility Report[332], presented a comprehensive audit of the Court's physical and functional accessibility. It identified significant barriers faced by persons with disabilities, women, senior citizens, and individuals living with HIV. The report recommended structural as well as functional modifications, such as designated parking, accessible restrooms, for the Supreme Court infrastructure. It also emphasised the need for an equal opportunity policy and staff sensitisation programs to foster an inclusive environment. The Report is also envisioned as a model for High Courts and subordinate courts nationwide, aiming to transform judicial spaces into more inclusive systems.

[332]https://api.sci.gov.in/supremecourt/2005/9321/9321_2005_1_1503_56986_Judgement_08-Nov-2024.pdf

B. State of the Judiciary Report

The State of the Judiciary Report, 2023[333] acknowledges progress by High Courts in enhancing accessibility but at the same time, highlights the systemic inaccessibility of district courts, framing it as a fundamental impediment to justice for persons with disabilities. Besides advocating for routine audits by the Public Works Department in collaboration with District Judges to identify and implement structural modifications in existing court buildings, the Report also calls for a dedicated grievance redressal mechanism to address physical barriers encountered by persons with disabilities within court premises. Further, it stresses that **accessibility must extend beyond infrastructure to institutional culture, urging the sensitisation of court staff to ensure the full inclusion of lawyers, staff and judges with disabilities within the justice system.**

C. Handbook Concerning Persons with Disabilities

The Supreme Court published the "Handbook Concerning Persons with Disabilities," to serve as a practical guide for the legal community practical guide for the legal community, aimed at promoting the social model of disability[334] within the Indian constitutional framework. It assists judges and legal professionals in identifying and addressing stereotypes, using respectful language, and understanding relevant legal standards. The Handbook includes a glossary that highlights stereotype-laden terms and suggests appropriate alternatives for use in legal documents, orders, and judgments.

D. Accessibility Committees in High Courts

In 2022, the E-Committee of the Supreme Court published the "Standard Operating Procedure for Preparing Accessible Court Documents" ["SOP"], aiming to make the judicial system more inclusive for litigants and lawyers with disabilities[335]. Among other measures to make accessing the court system more accessible for both litigants and lawyers with disabilities, the SOP urged every High Court and District Court to set up 'Accessibility Committees' at the earliest, to provide 'sustained institutional attention' to addressing accessibility barriers.

[333]https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/documents/misc/state_of_the_judiciary.pdf
334-
[335]https://cdnbbsr.s3waas.gov.in/s3ec059e740b84bb48a64dde2506156629/uploads/2024/04/2024041956.pdf

The SOP recommended that the composition of the committee and its contact details be widely published in the court website. Additionally, it required the Committees to publish quarterly data on the number of requests for accessible filings/ court documents or any other reasonable accommodation made to it, and the numbers of requests disposed of.

Accessibility Committees in High Courts can serve as sources of data on accessibility measures in the High Court. The Kerala Website publication on accessible infrastructure in the High Court is an addition that has come post the formulation of the Accessibility Committee, and so has the Delhi High Court's publication of quarterly data.[336] The Allahabad High Court has also since the establishment of the Committee, created a webpage to accept requests from advocates with disability for the extension of accessibility services.[337]

A desktop survey of court websites, and other documents show that Accessibility Committees have been set up in 18/25 High Courts.

The current status on information availability of Accessibility Committees (as of 6 June 2025) set up in High Courts are as follows:

Information Availability of Accessibility Committees in High Courts

Information on Accessibility Committees published on the High Court Website	18 HCs	High Courts of Allahabad, Chhattisgarh, Gujarat, Guwahati, Himachal Pradesh, Jharkhand, Kerala, Madhya Pradesh, Manipur, Meghalaya, Punjab and Haryana, Rajasthan, Sikkim, Telangana, Tripura, Uttar Pradesh, Delhi, Jammu and Kashmir
High Courts publishing details of Members of the Committee	17 HCs	High Courts of Allahabad, Chandigarh, Chhattisgarh, Delhi, Gujarat, Guwahati, Himachal Pradesh, Jammu and Kashmir, Madhya Pradesh, Manipur, Meghalaya, Punjab and Haryana, Rajasthan, Sikkim, Telangana, Tripura, Uttar Pradesh

[336]https://delhihighcourt.nic.in/web/accessibility-services
[337]https://www2.allahabadhighcourt.in/accessibility/

High Courts publishing Contact Information of the Committee	11 HCs	High Courts of Allahabad, Chandigarh, Delhi, Gujarat, Himachal Pradesh, Jharkhand, Punjab and Haryana, Rajasthan, Telangana, Tripura, Uttar Pradesh
High Courts Publishing Quarterly Data	1 HC	High Court of Delhi

Table 6.2: Information availability of accessibility committees in High Courts

The Annual Reports of the Andhra Pradesh High Court,[338] and the Orissa High Court[339] indicate that Accessibility Committees have also been set up in these High Courts. Additionally, a newsletter published by the Supreme Court e-committee[340] mentions that Karnataka High Court also has an Accessibility Committee. However, this information is not published on the website, and does not provide information on the members or contact details. The lack of public access to this information significantly undermines the committee's effectiveness, as it hinders transparency and public engagement, making it difficult for individuals with disability or their supporters/guardians to seek assistance.

E. Rakesh Kumar Kalra Deaf Divayang vs State Govt Of Nct Delhi (2023 SCC OnLine Del 5261)

To enable access to justice under Section 12(4)(c) of the RPwD Act, the Delhi High Court gave certain directions to device alternative methods to ensure that persons with disabilities facing trial can avail special means or facilities under the RPwD Act, including:

a. Enhancing the disability friendliness of the courts through provision of reasonable accommodation measures
b. Clear indication of designated court rooms that are disability-friendly
c. Use of Braille and sign language in courts
d. Low vision technologies and technological measures to enable screen reading
e. Judicial education and training regarding needs of persons with disabilities as accused, witnesses, parties, counsels

[338]https://aphc.gov.in/ANNUALREPORT2/ page 32
[339]https://www.orissahighcourt.nic.in/annual_report_2023.pdf page 38
[340]https://ghcitanagar.gov.in/Notification/Administration/2024/NewsletterMarch2024.pdf page 7

f. A special court Room for accused persons with disabilities similar to those for vulnerable witnesses with assisted technology

F. Rajive Raturi vs Union of India (2024 INSC 858)

In Rajive Raturi, the Supreme Court declared Rule 15 of the Rights of Persons with Disabilities Rules ["RPwD Rules"], which provided only recommendatory guidelines (such as the Harmonised Guidelines and Space Standards for Universal Accessibility in India by 2021 and the MHA Guidelines) as ultra vires the parent Act. Emphasising that accessibility is a fundamental right essential for the exercise of other rights, the Court mandated the Union Government to frame binding accessibility standards within three months, in consultation with stakeholders. This judgment reinforced the principle that accessibility is not merely aspirational but a legal obligation, ensuring that persons with disabilities can fully participate in all aspects of life.

G. In Re: Recruitment of visually impaired in judicial services (2025 SCC OnLine SC 481)

The Supreme Court held that visually impaired candidates cannot be excluded from becoming judges simply because of their disability. It struck down parts of the Madhya Pradesh Judicial Service Rules that either barred or unfairly disadvantaged persons with disabilities, holding them unconstitutional.
The Court said that all candidates, including those with disabilities, must be given equal opportunity, and that rules requiring higher marks or extra years of experience for candidates with disabilities were unfair and discriminatory. It also said that separate cut-off marks and merit lists must be maintained for persons with disabilities to ensure a fair selection process. The Court made it clear that providing reasonable accommodation is not optional, it's a legal right linked to dignity and equality under the Constitution.

AN OVERVIEW OF SOME RELEVANT CASES ON DIRECTIONS ON ACCESSIBILITY PROVISIONS AND REASONABLE ACCOMMODATIONS IN HIGH COURTS

Akshat Baldwa & Ors. vs Yash Raj Films & Ors.

HIGH COURT OF DELHI; 2024
SCCONLINE DEL 2125

Issue: The Petitioners, who are consumers of audio-visual entertainment, have filed the present petition, highlighting the challenges faced by persons with disabilities in accessing audio-visual content in traditional theatres as well as online streaming platforms. It was contended that current films and online content are not accessible to persons with disabilities, despite the provisions contained in the RPwD Act which addresses various accessibility concerns.

Ruling: The Delhi High Court observed that even private parties have to ensure that 'reasonable accommodation' measures are taken in order to enable greater accessibility for the hearing and visually impaired persons. The Ministry of Information and Broadcasting was directed to finalise and notify the Accessibility Standards for Television Programmes for Hearing Impaired on or before 15th July 2024, and directions were passed to attempt to include accessibility features in feature films, including Over The Top platforms ["OTT"].

Impact: Emphasised the legal obligation of both public and private stakeholders to ensure accessible audio-visual content, reinforcing the right of persons with disabilities to equal participation in cultural life.

Anmol Kumar Mishra vs Union of India

HIGH COURT OF DELHI; WP(C) 13146/2021

Issue: The Petitioner, admitted to IIT Kharagpur's dual degree program through JEE, under the category of Persons with Disability, had his admission cancelled based on the nature of his disability certificate. The issue raised was whether a candidate with a visual impairment (keratoconus), categorised as a temporary disability that is "likely to improve," can be disqualified from availing reservation benefits.

Ruling: The Delhi High Court observed that, the definition of 'person with disability', ' persons with benchmark disabilities' and of 'specified disability', does not ex facie distinguish between temporary and permanent disabilities. The definition of person with disability, to the extent that it incorporates the necessity of long-term impairment, itself subsumes that requirement. The Respondent Institute was directed to take steps to admit the Petitioner.

Impact: The judgement reinforced that the RPwD Act must be interpreted liberally to uphold its inclusive and beneficial objectives and ensured that persons with disabilities were not penalized for the nature (permanent/ temporary) of their condition and have an equal opportunity to succeed.

M. Sameeha Barvin vs Ministry of Youth and Sports & Ors.

MADRAS HIGH COURT; (2022) 1 MLJ 466 [56]

Issue: M. Sameeha Barvin, a deaf female athlete with a 90% hearing and speech disability, was excluded from the Indian team for the Fourth World Deaf Athletics Championship despite being the top female qualifier. Her non-selection was solely due to her gender, as authorities were unwilling to send a lone female athlete with the male team, raising concerns of gender and disability-based discrimination.

Ruling: The Madras High Court recognised this as a case of intersectional discrimination based on both gender

and disability, violating Article 15(1) of the Constitution. The Court condemned the decision as discriminatory and patriarchal, emphasising the State's duty to provide reasonable accommodation and ensure safety rather than exclude women under the guise of protection. It upheld Sameeha's right to participate and issued broader directions to address systemic discrimination against women athletes with disabilities.

Impact: The landmark judgment advanced intersectional rights, recognised that women with disabilities face unique, compounded barriers in accessing opportunities in sports. It underscored the obligation of sports bodies and governments to eliminate gender and disability bias, ensure inclusive participation, and implement meaningful support and accommodations in line with constitutional and international human rights standards.

Jayanti Lal Devasi vs Divisional Railways Manager (E)

HIGH COURT OF GUJARAT; R/SCA 9561/2021

Issue: Jayanti Lal Devasi, a railway employee with benchmark disability (>40%), was denied the opportunity to appear for a Limited Departmental Competitive Examination ["LDCE"] for promotion to Junior Clerk. The denial was based on the assertion that he already had an alternative promotion channel (which involved a physically demanding trade test), despite his inability to undertake such physical tests due to his disability.

Ruling: The Court held that the denial violated the RPwD Act, especially Sections 3 and 20, which mandate equality, non-discrimination, and reasonable accommodation in employment. The Court found that insisting on a trade test involving strenuous physical activity amounted to denying the Petitioner a fair opportunity. It quashed the prior orders and directed the inclusion of the Petitioner in the LDCE list and allowed a special examination to be conducted for him if necessary.

Impact: This judgment reinforced the legal mandate to provide reasonable accommodation to persons with

disabilities in employment-related matters, including promotion. It affirmed that equal opportunity for employees with disabilities included modifying or adapting processes that otherwise created barriers due to disability, ensuring substantive rather than formal equality.

Ranjit Kumar Rajak vs State Bank of India

BOMBAY HIGH COURT; (2009) 5 BOM CR 227

Issue: Ranjit Kumar Rajak, a renal transplant recipient, was denied appointment as a Probationary Officer by the State Bank of India despite being selected and medically fit to perform the job. The rejection was based on concerns over his medical history, potential future medical expenses, and ongoing treatment, raising constitutional questions under Articles 14, 16(1), and 21.

Ruling: The Bombay High Court held that denying employment solely on account of a past medical condition, despite current fitness, violated constitutional rights to equality, non-discrimination, and livelihood. The Court emphasised the principle of reasonable accommodation, stating that unless undue hardship was proven, an otherwise qualified candidate cannot be denied employment based on anticipated medical costs or disabilities. It directed SBI to offer employment to the petitioner within 60 days.

Impact: This judgment expanded the constitutional interpretation of reasonable accommodation to include individuals with medical histories like organ transplants. It affirmed that public employers must justify exclusions based on medical grounds with concrete evidence of undue hardship, setting a significant precedent for the rights of persons with medical disabilities in public employment.

AN OVERVIEW OF SOME RELEVANT CASES ON RESERVATION OF JUDICIAL OFFICERS WITH DISABILITIES IN THE SUBORDINATE COURTS

Biju Sundar vs High Court of Kerala and Ors.

HIGH COURT OF KERALA; WP(C) 15496/2023

Issue: Biju Sundar, a person with 40% locomotor disability and belonging to the Scheduled Caste category, challenged the Kerala Higher Judicial Service notification for failing to: (i) reserve posts for persons with disabilities, (ii) grant age relaxation and grace marks as mandated under the RPwD Act, (iii) provide a disability-friendly application portal, (iv) follow interlocking reservation norms. He also alleged discrimination for being denied entry into the mains exam despite securing qualifying marks when others with lower scores were selected under different categories.

Ruling: The Kerala High Court held that failure to reserve seats, provide age relaxation, and grant grace marks to candidates (persons with disabilities) was inconsistent with statutory obligations under the RPwD Act. The Court: (i) directed the State to calculate and fill the backlog of persons with disabilities vacancies from 1996 onward (3% till 2017, and 4% thereafter), (ii) ordered formulation of a clear policy for age relaxation and grace marks for persons with disabilities candidates within 3 months, and (iii) directed initiation of a special recruitment drive to fill identified persons with disabilities vacancies in judicial services.

Impact: This landmark judgment reaffirmed that rights under the RPwD Act were enforceable and not optional, especially in public employment. It strengthened the doctrine of reasonable accommodation, compelled State institutions to proactively ensure inclusive hiring practices, and mandated compliance with disability reservation norms.

6.2. Methodology

The study employed primary and secondary research methods to understand the availability of data in the access to justice sphere for persons with disabilities. Secondary research helped inform the main body of the work, while primary research through in-depth interviews provided a holistic understanding of the challenges of the system in providing justice and upholding the rights of persons with disabilities. To validate the availability of data or the lack of it based on secondary desk research, RTIs were filed to various High Courts.

The research methods employed are detailed below:

A. SECONDARY DESK RESEARCH

Our findings were informed through secondary desk research on mandates for inclusion, mandates for data and availability of data on persons with disabilities within High Courts. These aspects were analysed using a framework *(Figure 6.1)*.

The Framework of Analysis :

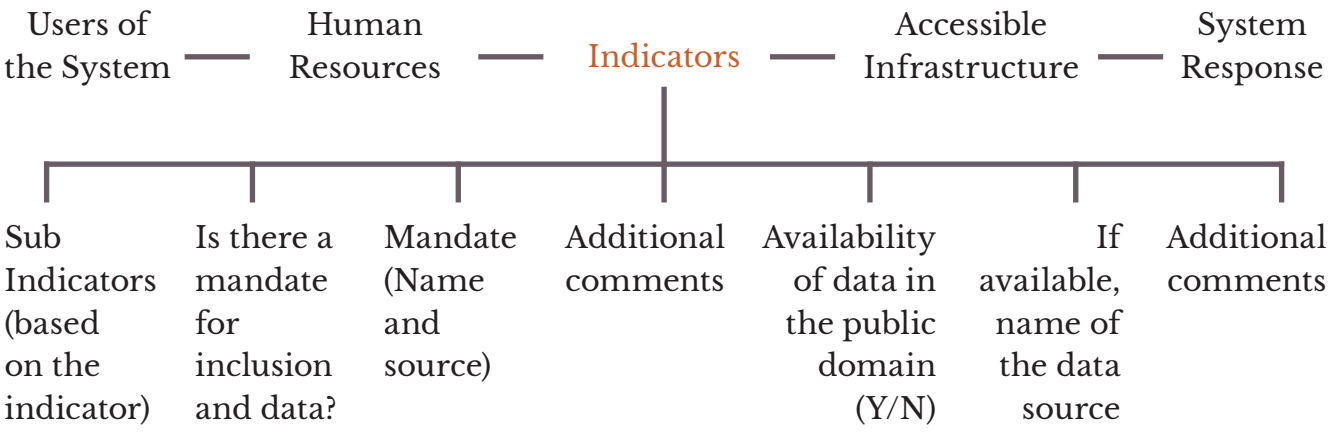


Figure 6.1: The framework of analysis

The framework included four categories of indicators namely, users of the system, human resources, accessibility of High Courts, and system response. Each indicator has one or more sub-indicators. The number of sub-indicators chosen for High Courts per category of indicators is given in Table 6.3. All High Courts of India were included in the analysis. This research does not extend to subordinate courts or quasi-judicial bodies primarily due to the unavailability of comprehensive and reliable data in the public domain. Undertaking a study of such scale, encompassing the vast network of subordinate judiciary and quasi-judicial authorities across jurisdictions, requires significant logistical and institutional support, which is beyond the capacity of this research effort.

This limitation is not intended, in any manner, to discount the crucial role required to be played by subordinate courts and quasi-judicial authorities in facilitating access to justice for persons with disabilities. Nor does it exonerate them from the responsibility of ensuring accessibility and collecting disaggregated data related to persons with disabilities. On the contrary, the absence of such data underscores the urgent need for a systemic response. It is, therefore, imperative that all courts and tribunals undertake periodic accessibility audits and proactively publish relevant data to assess and address barriers in access to justice for persons with disabilities.

What do we consider as mandates? Explanation of mandates criteria?

Due to the disparate nature of available data and the mandates/ non-mandates governing the need for data (to ensure inclusion/ fair treatment) and data collection (to ensure implementation and accountability), certain parameters were considered to ensure uniformity in interpreting the data gaps/availability of data. Below are the criteria used:

A mandate must be legally enforceable

- **Central Acts and Rules: The Rights of Persons with Disabilities (RPwD) Act, 2016[341] along with its rules.[342]**
- **State Acts and Rules pertinent to the relevant pillar across the four identified categories and include a clause on protecting the rights of persons with disabilities**

****Acts and Rules were considered when they mandated affirmative action the count of the number of persons with disability in and their inclusion within the system through the creation of employment opportunities, through the provision of reasonable accommodations, and/or systematically addressing the needs of the person with disability by appointment of relevant personnel. Furthermore, any Act or Rule that mandated data collection/ recording/reporting on the above criteria was included.**
criteria was included.

Data Availability Explanation of data sources criteria

Data against these mandates must be:

- Published by the government (i.e., a government source or state data)
- Publicly available
- Systematically reported on a consistent data point
- Published post-2016 [i.e., within the last seven (7) years of the enactment of the RPwD Act, 2016]

[341]https://cdnbbsr.s3waas.gov.in/s3e58aea67b01fa747687f038dfde066f6/uploads/2023/10/2023101610539589 42.pdf
[342]RPwD Act, 2016 prevailed when there were no State exemptions for persons with disabilities. For example, unless the 4% reservation for persons with disabilities is exempt for a certain post, the RPwD Act 2016 Section 34 applied.

Indicators and Sub-Indicators for Analysis of Disability Inclusion in the Judicial System

Indicators	No. of Sub-Indicators	Sub-Indicator
Users of the System	**1**	• *Litigants in High Courts who are persons with disabilities*
Human Resources	**2**	• *Judges with disabilities in High Courts* • *Judges with disabilities in Subordinate Courts*
Accessible Infrastructure	*5*	• *Ramps and Lifts in High Courts* • *Disability-friendly toilets in High Court premises* • *Accessible car parking in High Court premises* • *Electronic devices that enable accessibility in High Courts* • *Any other reasonable accommodations provided by the High Courts*
System Response	**2**	• *Annual training/sensitisation/awareness programs for High Court judges regarding persons with disabilities* • *Sign language interpreters in the High Courts*

Total sub-indicators considered for Judiciary: 10

Table 6.3: Indicators and sub-indicators for analysis of disability inclusion in the Judicial system

The review of mandates and data was conducted over a period of four months, from February 2024 to June 2024. Secondary literature review on judicial pronouncements was completed in March 2025. Mandate and data availability for every State and UT was mapped per pillar per category. When mandates were unavailable, guidelines and other directives were noted in additional comments. Additionally, data that did not meet the defined criteria described, such as one-off data points, anecdotal references, data in annual reports, judgments, court orders, and parliamentary answers were noted. The exercise was done on Microsoft Excel and data was compiled manually against the framework to draw broad conclusions on the availability of data of and for persons with disabilities within the justice system.

B. FILING OF RTIS

RTIs were filed with the Public Information Officers of 25 High Courts to assess data availability relating to Persons with Disabilities in the High Courts of India. A total of 11 questions were asked in the RTIs, focusing on the four identified key indicators. The questions are documented in Annexure 3B. As the responses received to the RTI questions are recorded under the respective sub-indicator, the detailed responses are not annexed to this report.

15 out of the 25 High Courts responses to the RTIs filed by us. The Rajasthan High Court refused to provide information on the ground that the application was not as per their format, although there is no provision in the RTI Act for rejecting applications in the event the application is not made in a prescribed format. Some of the responses received were not responses to the questions raised in the RTIs. For instance, many courts responded that they did not have access to the requested information to some queries. Therefore, only specific responses that carry valuable data insights have been highlighted under the relevant sections.

While the responses do highlight the existing gaps and limitations that remain in the availability and completeness of data, the information obtained by us has nevertheless contributed to the research by offering some insights relevant to addressing the research questions and highlighting the role of transparency in data collection and assessment.

C. QUALITATIVE INTERVIEWS

We conducted the following two in depth interviews with experts for the judiciary.

1. Rahul Bajaj, Disability Rights Activist and Advocate
2. Professor Sanjay Jain, Professor of Disability and Law, former member of the Supreme Court Accessibility Committee

The experts were asked about how disability featured within the judiciary, perceptions of the systems and attitudes towards disability, the state's readiness to cater to persons with disabilities within the system across the four identified categories, current practices for data collection on persons with disabilities and system data reporting mechanisms to the State. Experts were also probed on attitudes of the systems to data and opportunities for better data collection on persons with disabilities. The interview with Interviewee 1 was conducted online, while the interview with Interviewee 2 was conducted offline.

6.3. Data Narrative for Inclusion of Persons with Disabilities in the Judicial System

INDICATOR 1 - **Users of the System : Persons with Disabilities as Justice Seekers in the Judicial System**

INDICATOR 2 - **Human Resources: Persons with Disabilities as Justice Providers in the Judicial System**

INDICATOR 3 - **Accessible infrastructure: Physical and Digital Accessibility and Inclusion within High Courts**

INDICATOR 4 - **System Response: Disability Awareness and Disability Responsiveness of the Judicial System**

INDICATOR 1 - Users of the System: Persons with Disabilities as Justice Seekers in the Judicial System

Summary of findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
1.1 Persons with disabilities who are litigants in High Courts	Centre ○ State ○	Centre ○ State ○	○

Figure 6.2: Summary of findings on persons with disabilities as justice seekers in the judicial system

AVAILABLE PUBLIC DATA: No public data is available

KEY
- ● Yes
- ◐ Partial
- ○ No

1.1 Persons with Disabilities who are Litigants in High Courts

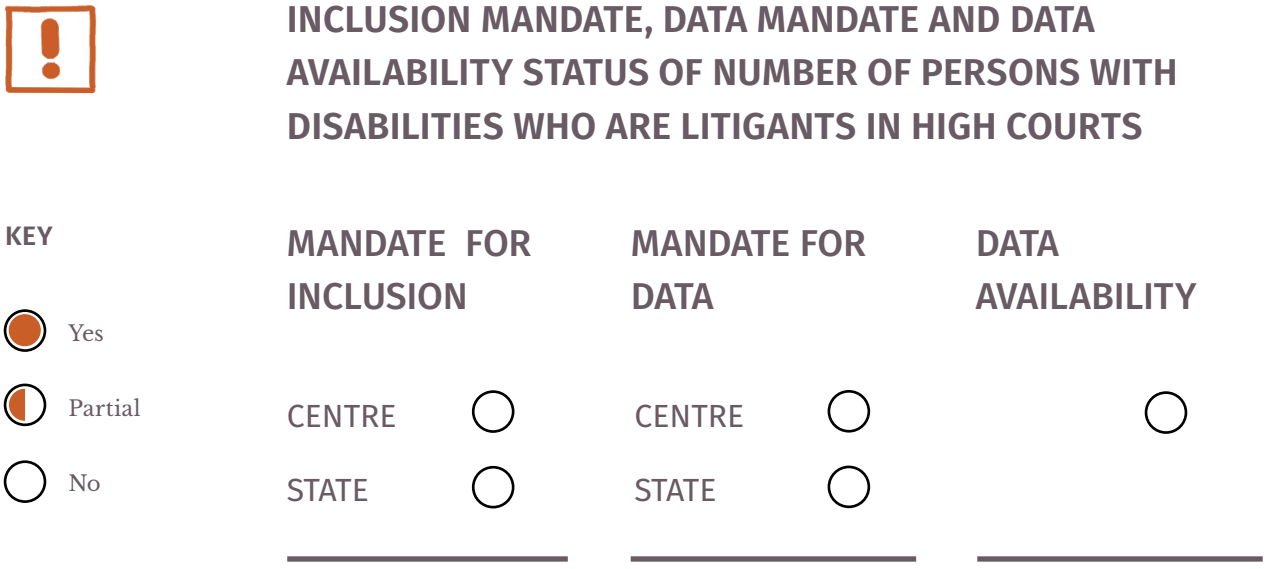


Figure 6.3: Inclusion mandate, data mandate and data availability status of number of persons with disabilities who are litigants in High Courts

THE DATA STORY

What we considered as a data point for litigants in High Courts who are persons with disabilities

We considered users who approach the court as litigants (both as petitioners and as respondents). Though advocates are also users of the system, we have not accounted for them in this data point.

Mandates on Inclusion/ Tracking of Persons with Disabilities as Litigants in High Courts

There is no mandate to account for the number of litigants with disabilities in the High Courts.

Is data available?

There is no data on the number of litigants with disabilities. **The National Judicial Grid tracks data on cases filed by women and senior citizens,[343] but leaves out persons with disabilities.**

RTI Data: Litigants with Disabilities

None of the High Courts that have responded seemed to have a systematised process of logging litigants with disabilities. The Odisha High Court reported that there were 12 litigants with disabilities as of 8/5/24. The Karnataka High Court responded that it would make "an option to make an entry for persons with disability as litigants." However, no further information regarding this was provided.

"...going forward, they should start collecting this data in all the High Courts on how many litigants with disabilities came to ask for legal aid - that data can be tracked... and there might be, not now, but in future, hope to even have a separate committee for providing legal aid to persons with disabilities like there is for consumer law at district level for senior citizens..."

Rahul Bajaj,
Disability Rights Activist and Advocate

[343] https://njdg.ecourts.gov.in/hcnjdgnew/?p=main/index&state_code=9~13

KEY FINDINGS ON USERS OF THE HIGH COURTS WITH DISABILITIES

Several measures recommended for the inclusion of persons with disabilities in the judicial system require a minimum estimate of litigants with disabilities approaching it. For instance, in order to provide reasonable accommodations such as wheelchairs to persons with disabilities upon request, Courts need to have at least a ballpark figure of persons with orthopedic disabilities approaching the Court daily. The absence of data on litigants with disabilities, makes it difficult to effectuate inclusive measures in their interest. However, there have been some Court level measures to make the judicial system inclusive for persons with disabilities.

Prioritization of cases involving the disabled

The High Court of Manipur[344] and the High Court of Punjab and Haryana at Chandigarh[345] have issued notifications informing the prioritisation of cases involving persons with disabilities. As per the Chandigarh High Court notification, all cases pertaining to persons with disabilities are to be flagged with their disability status prominently noted in the case index. While the initiative is a definite step towards better inclusion of persons with disabilities, the consideration is only extended to persons with such disabilities recognised under the The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. This excludes 14 categories of disabilities recognised under the 2016 RPwD Act. On the other hand, though the High Court of Manipur had notified this in 2019, its response to our RTI query stated that it does not capture data on litigants with disabilities.

[344]https://hcmimphal.nic.in/Documents/Listing%20Notice060519.pdf
[345]https://highcourtchd.gov.in/sub_pages/left_menu/publish/announce/announce_pdf/disab_notc_19042024_3a820.pdf

There is no data on advocates with disability

Advocates are also key users of the court complexes. The Supreme Court Accessibility Report had sought information on the number of advocates with disabilities in the Supreme Court Bar Association ["SCBA"].[346] However, the SCBA could not provide numbers since data on the category was not maintained by the SCBA. **Neither the High Court nor the SCBA maintains data on the number of Advocates with disability registered with its bar associations.**

RECOMMENDATIONS TO IMPROVE INCLUSION OF AND DATA AVAILABILITY ON PERSONS WITH DISABILITIES AS JUSTICE SEEKERS IN THE JUDICIAL SYSTEM

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Non-availability of data on litigants with disabilities	1. The disability status of litigants should be recorded to prioritize their hearings, and provide reasonable accommodations if required. 2. The Judicial Data Grid should include statistics on the total number of litigants with disabilities in each High Court.	1. State High Courts 2. Department of Justice, National Informatics Centre

Table 6.4: Recommendations to improve inclusion of and data availability on persons with disabilities as justice seekers in the Judicial system

[346] https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/uploads/2024/01/2024012414-1.pdf 15

INDICATOR 2 - Human Resources: Persons with Disabilities as Justice Providers in the Judicial System

Summary of Findings:

SUB-INDICATOR	MANDATES FOR INCLUSION		MANDATES FOR DATA		DATA AVAILABILITY
2.1 Judges with Disabilities in High Courts	Centre State	○ ○	Centre State	○ ○	○
2.2 Judges with disabilities in Subordinate Courts	Centre State	◉ ◐	Centre State	○ ○	◐

Figure 6.4: Summary of findings on persons with disabilities as justice providers in the Judicial system

AVAILABLE PUBLIC DATA: The Ministry of Justice dashboard publishes data on subordinate court judges with disabilities, at state level. But the data is inaccurate and suffers from discrepancies.

KEY
◉ Yes
◐ Partial
○ No

2.1 Judges with Disabilities in High Courts



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF JUDGES WITH DISABILITIES IN HIGH COURTS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	○	○	○
STATE	○	○	

Figure 6.5: Inclusion mandate, data mandate and data availability status of Judges with disabilities in High Courts



THE DATA STORY

What we considered as a data point on judges with a disability in High Courts

The judges of all the 25 High Courts of the country were considered for this data point.

Capturing the Disability Status of Judges

SDG Indicator 16.7.1c requires the data on judiciary to be disaggregated by four demographic characteristics: sex, age group, disability status and population subgroup.[347]

For disaggregate data on judges by disability status, the UN recommends the use of the Short Set of Questions on Disability elaborated by the Washington Group ["WG-SS].[348] To enhance international comparability, the WG-SS gathers data on difficulties individuals may experience in performing fundamental functional activities that are universally relevant across cultures, societies, and national contexts.[349] Questions are asked on vision, hearing, mobility, cognition, communication and self-care. The Committee on the Rights of Persons with Disabilities had also recommended India to collect disability information based on the Washington Group SS.[350]

In India, while capturing data on judges, gender and age group are captured by default, and through the information sought in the revised Proforma for seeking information on recommended Judges for elevation to the High Courts, the Government has been compiling data on the social status[351] of the recommended judges.[352]

Although there is no conclusive evidence that judicial diversity results in differential outcomes, prior research indicates that judicial diversity enhances fairness and boosts public confidence.[353] However, studies predominantly focus on ethnic minorities and female judges, largely neglecting disability diversity, which could largely be a result of lack of data on disability diversity in the judiciary.[354] Thus, capturing data on judges with disabilities is crucial, to ascertain its overlooked significance within the judiciary.

[347]https://www.undp.org/sites/g/files/zskgke326/files/2021-07/UNDP-Advancing-Inclusive-Decision-Making-for-Sustainable-Development-Representation-in-the-Judiciary.pdf
[348]https://unstats.un.org/sdgs/metadata/files/Metadata-16-07-01c.pdf
[349]https://www.washingtongroup-disability.com/fileadmin/uploads/wg/Documents/Questions/Washington_Group_Questionnaire__1_-_WG_Short_Set_on_Functioning.pdf
[350]https://cdnbbsr.s3waas.gov.in/s3e58aea67b01fa747687f038dfde066f6/uploads/2023/09/20230927301902296.pdf
[351]https://sansad.in/getFile/rsnew/Committee_site/Committee_File/ReportFile/18/171/133_2023_8_15.pdf?source=rajyasabha
[352]https://sansad.in/getFile/rsnew/Committee_site/Committee_File/ReportFile/18/171/133_2023_8_10.pdf?source=rajyasabha 10
353
354

Mandates on Inclusion of Persons with Disabilities as Judges of High Courts

There is no mandate for the reservation of posts for persons with disabilities as judges of the High Court.

Is data available?

There is no data on the number of High Court judges with disabilities.

The only publicly available information on the disability status of a High Court judge, comes from a Supreme Court collegiums' recommendation order for judges,[355] which states that a judge being elevated to the Gujarat High Court has a physical disability. A Rajya Sabha Parliamentary Standing Committee had recommended that the Department of Justice find the means to collect data on the social status of judges in the High Court,[356] but the collection of information about disability status was not recommended.

RTI Data: High Court Judges with Disabilities

The Madras High Court confirmed the presence of a judge with a disability, while five courts explicitly stated that they do not have any judges with disabilities. Most courts reported that they do not have access to the requested information.

Note: We did not receive a response from the Gujarat High Court

[355]https://main.sci.gov.in/pdf/Collegium/02032023_132119.pdf
[356]https://sansad.in/getFile/rsnew/Committee_site/Committee_File/ReportFile/18/171/133_2023_8_10.pdf?source=rajyasabha 13

KEY FINDINGS ON INCLUSION OF AND DATA ON JUDGES WITH DISABILITIES IN HIGH COURTS

There is a striking absence of discourse around disability representation within the Higher Judiciary in India. No publicly available data exists on the number of judges with disabilities in High Courts. Moreover, Section 34 of the RPwD Act, does not apply to appointments in the higher judiciary—leaving representation to the discretion of the system.

Judges of High Courts are recommended by the Collegium, and appointed by the President, in consultation with the Chief Justice of India and the Governor of the concerned state. Article 214, which provides for the appointment of judges in the High Court, does not provide for reservations for any communities.[357] In a response to a question raised in the Rajya Sabha, the Minister of State for the Ministry of Law and Justice had stated that the Government had been requesting the Chief Justices of High Courts to give "due consideration" to suitable candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backwards Castes and Minorities, as well as to women, while making appointments.[358] The Government has however, not been actively advocating for Persons with Disabilities for their inclusion, though the Supreme Court has affirmed their status as "equally socially backward" as Scheduled Castes and Scheduled Tribes.[359]

[357]Article 214, the Constitution of India
[358]Rajya Sabha Unstarred Question number 1386, answered on 14.12.2023 https://sansad.in/getFile/annex/262/AU1386.pdf?source=pqars
[359]https://indiankanoon.org/doc/196128350/ and Aryan Raj Vs. Chandigarh Administration & Ors. Civil Appeal No. 2718 of 2020 dated 08 July 2020

2.2 Judges with Disabilities in Subordinate Courts

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF JUDGES WITH DISABILITIES IN SUBORDINATE COURTS

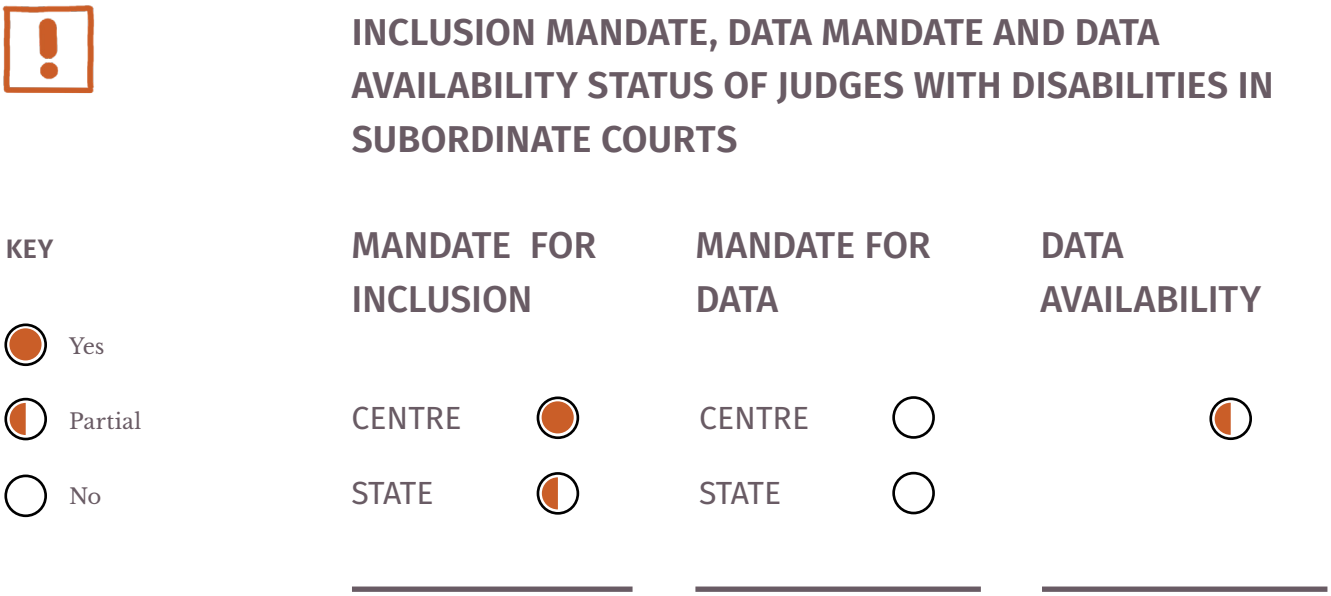


Figure 6.6: Inclusion mandate, data mandate and data availability status of judges with disabilities in Subordinate Courts

THE DATA STORY

What we considered as a data point on judges with a disability in subordinate courts

We considered three cadres of judges in the subordinate judiciary: district judge, senior civil judge and civil judge (junior division).

Mandates on Inclusion of Judges with Disabilities in Subordinate Courts

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 34, RPwD Act	Mandates 4% reservations for those with disabilities in government institutions/ establishments
State	**Delhi[360] and Nagaland[361]**	The Rules state that the reservation under Section 34 of RPwD Act shall be applicable on persons with disabilities (Delhi) and persons with physical disabilities (Nagaland)
	Haryana[362]	Judicial Services rules do not expressly provide for reservations for persons with disabilities, but has provisions for the applicability of state reservation rules
	Andhra Pradesh, Karnataka (1%), Madhya Pradesh (2% for higher judiciary and 6% for lower judiciary), Manipur[363]	Judicial Services rules provide reservation less than 3%

[360]Rule 22, Delhi Higher Judicial Services Rules 1970 and Rule 28, Delhi Judicial Services Rules 1970
[361]Rule 8, Nagaland Judicial Services Rules 2006
362
[363]Rule 8.2 Manipur Judicial Services Rules 2005

MANDATE LEVEL	MANDATE	DESCRIPTION
State	**Arunachal Pradesh,[364] Goa,[365] Maharashtra, Mizoram,[366] Sikkim[367]**	Judicial Services Rules do not mention reservations for persons with disabilities
	Assam,[368] Jharkhand,[369] Meghalaya,[370] Kerala (4 percent)	Judicial Services Rules do not mention reservations for persons with disabilities, but recruitment notifications provide for them
	Andhra Pradesh,[371] Bihar (higher judiciary),[372] Chhattisgarh (2%), Gujarat,[373] Karnataka (1%),[374] Madhya Pradesh[375]	Reservation is provided only for orthopedically challenged persons
	Bihar (only for higher judiciary), Chhattisgarh (only for lower judiciary), Haryana (lower judiciary), Jammu and Kashmir (lower judiciary)	Provides reservations for only one/two cadres

[364]Arunachal Pradesh Judicial Services Rules, 2006
[365]Goa Judicial Services Rules 213
[366]Mizoram Judicial Services Rules, 2006
[367]The Sikkim Judicial Service Rules, 1975 and The Sikkim Superior Judicial Service Rules, 1980
[368]Assam Judicial Services Rules 2003 does not provide for reservation. 2021 recruitment notification for Assam Judicial Services provide for reservation as per the rules/law, but does not mention the law which applies
[369]Jharkhand Superior Judicial Services (Recruitment, Appointment and Conditions of Service) Rules, 2001 and Jharkhand Judicial Service (Recruitment) Rules, 2001 do not provide for reservations for persons with disabilities.
[370]Meghalaya Judicial Services Rules 2006 do not provide for reservations for persons with disabilities, though an Advertisement for judicial magistrate: states that reservation is applicable to persons with disabilities
[371]Rule 7, Andhra Pradesh State Judicial Service Rules 2007
[372]Bihar Superior Judicial Services Rules, 1951
[373]Rule 7, Gujarat State Judicial Services Rules 2005
[374]Rule 3, Karnataka Judicial Services Recruitment Rules 2005
[375]Rule 6(2) of the Madhya Pradesh Higher Judicial Service Recruitment Rules 2017 and Rule 6A of the Madhya Pradesh
[375]Judicial Services (Recruitment and Conditions of Service) Rules 1994

MANDATE LEVEL	MANDATE	DESCRIPTION
	Himachal Pradesh,[376] **Manipur, Orissa,**[377] **Tamil Nadu,**[378] **Uttar Pradesh,**[379] **Puducherry**[380]	Reservation for locomotor, visual and hearing disabilities

Table 6.5: Mandates on inclusion of judges with disabilities in subordinate courts

Is data available?

There has been an attempt to collect data on disabled judicial officers in the country at the Civil Judge (Junior and Senior Divisions) and at the District judge levels. The Department of Justice dashboard[381] on the working strength of the judiciary provides a state-wise breakup of specially abled judicial officers, but the numbers provided face discrepancies. For instance, the dashboard states that there are a total of 215 specially abled civil judges (junior division). However, the individual numbers of civil judges (junior division) for each state, which are also provided in the dashboard, do not add up to 215. It lists Maharashtra alone as having 512 differently abled judicial officers belonging to this cadre, though the national numbers show 215.

[376]Rule 5, Himachal Pradesh Judicial Services Rules, 2004
[377]Rule 9(a)(5), The Orissa Superior Judicial Service 2007 and Rule 6, Orissa Judicial Service (OJS) Rules, 2007
[378]Rule 10, Tamil Nadu State Judicial Service (Cadre & Recruitment) Rules, 2007
[379]Rule 7, Uttar Pradesh Higher Judicial Service Rules, 1975 and Rule 8 of the UP Judicial Services Rules 2001
[380]Rule 21, The Puducherry Judicial Service (Cadre and Recruitment) Rules, 2008
[381]https://dashboard.doj.gov.in/sanctiondata/working_strength

KEY FINDINGS ON INCLUSION OF AND DATA ON JUDGES WITH A DISABILITY IN THE SUBORDINATE COURTS

"Reservation in most courts is only for those with locomotor disability. For visual impairment, most states do not provide for reservations. Only say two or three judicial officers who are visually impaired have been recruited in the whole country till date."

Rahul Bajaj,
Disability Rights Activist and Advocate

In the subordinate courts, the inclusion of judges with disabilities remains uneven and poorly documented. While Section 34 of the RPwD Act mandates reservation, its adoption across states is inconsistent: some have implemented it partially, others have failed to incorporate it in their Judicial Service Rules altogether. The inconsistency and unreliability of data on the Department of Justice dashboard prevent effective monitoring and enforcement.

Furthermore, the Central Government has identified the posts of judges and magistrates as jobs suitable for persons with disabilities.[382] However, the central government notification only extends to the following categories of disabilities:

1. Visual impairments (Blind and low vision)
2. Orthopedic impairments (One Arm, One Leg, Both Legs, One Arm and One Leg, Leprosy Cured, Dwarfism, and Acid Attack Victims)
3. Specific Learning Disability
4. Multiple disabilities involving (1) to (4) above

Among the benchmark disabilities for which reservation may be extended under Section 34 of the RPwD Act, auditory impairments, cerebral palsy, autism, and intellectual disability are excluded from the list of benchmark disabilities suitable for judges. While the mandate under the RPwD Act stands, each state has its own judicial service rules. Some states have the same rules for higher (district judge) and lower judiciary (senior and junior civil judges); while some states have two separate subordinate legislations for each.

[382] http://www.ccdisabilities.nic.in/sites/default/files/2021-09/LIST%20OF%20IDENTIFIED%20JOBS%20%E2%80%93%202021_0_0.pdf page 1431

RECOMMENDATIONS TO IMPROVE INCLUSION OF AND DATA AVAILABILITY ON PERSONS WITH DISABILITIES AS JUSTICE PROVIDERS IN THE JUDICIAL SYSTEM

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Persons with disabilities are inadequately represented in the higher judiciary.	1. The collegiums must take proactive responsibility in identifying and recommending qualified persons with disabilities for elevation 2. The procedure for appointment of marginalized populations, including disabled judges, should be outlined in the Memoranda of Procedure of appointment of judges	Supreme Court, High Court, Ministry of Justice
Non-uniform implementation of RPwD Rules across states	1. The 4% reservation mandated by the RPwD Act for persons with disabilities must be explicitly incorporated into the judicial service rules of every state.	High Court
Incorrect data on subordinate court judges with disability	1. Although the Government has initiated efforts to compile national data on judges with disabilities in the subordinate judiciary, the Department of Justice dashboard presents inconsistent and incomplete figures. The data fails to accurately reflect the total number of judges with disabilities across states, undermining its utility for policy and oversight. The Ministry of Law and Justice must urgently revise and standardise the dashboard to correct these discrepancies.	Department of Justice, Ministry of Law and Justice

Table 6.6: Recommendations to improve inclusion of and data availability on persons with disabilities as justice providers in the Judicial system

INDICATOR 3 - Accessible Infrastructure: Physical and Digital Accessibility and Inclusion within High Courts

Summary of findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
3.1 Ramps and Lifts in High Court premises	Centre ● State ○	Centre ○ State ○	◐
3.2 Disability-friendly toilets in High Court premises	Centre ● State ○	Centre ○ State ○	◐
3.3 Accessible car parking in High Court complex	Centre ● State ○	Centre ○ State ○	○
3.4 Electronic devices that enable accessibility in the High Courts	Centre ● State ○	Centre ○ State ○	○
3.5 Any other reasonable accommodations provided for persons with disabilities in High Courts	Centre ● State ○	Centre ○ State ○	◐

Figure 6.7: Summary of findings on accessible infrastructure in the judicial system

AVAILABLE PUBLIC DATA: The Kerala HC publishes information on disability-friendly infrastructure in its premises. The Delhi HC publishes quarterly data on accommodations provided for persons with disabilities.

KEY
● Yes
◐ Partial
○ No

3.1 Ramps and Lifts in High Court premises



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF RAMPS AND LIFTS IN HIGH COURT PREMISES

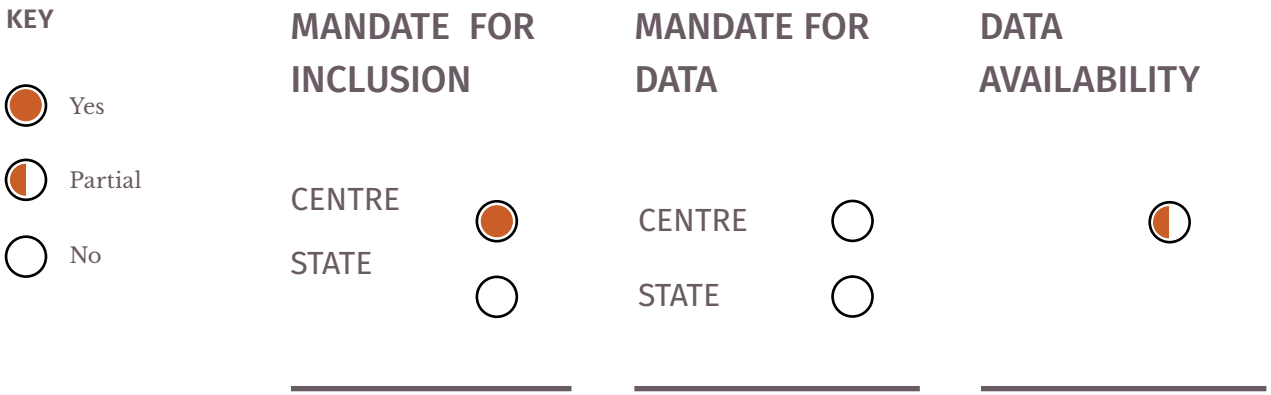


Figure 6.8:Inclusion mandate, data mandate and data availability status of ramps and lifts in High Courts



THE DATA STORY

What we considered as data points on ramps and lifts in High Courts?

High Court complexes may need varying numbers of ramps and lifts depending on the building structure, number of floors etc. We considered ramps or lifts to make the premises user-friendly and accessible under this datapoint.

Mandates on Ramps and Lifts in High Courts

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 45, RPwD Act	Appropriate government to make public buildings accessible
	Rule 15, RPwD Rules	Comply with the Harmonised Guidelines
Central	**Section 12, RPwD Act**	The appropriate government has the obligation to ensure that persons with disabilities are able to exercise their rights to access courts without discrimination on the basis of their disability.

Table 6.7: Mandates on ramps and lifts in High Courts

The Supreme Court, in All India Judges Association v Union of India[383] stated:
"We have to move from disability-friendly buildings to workable and implementable differently-abled friendly court infrastructure. Ramps for such categories of persons must be operable, feasible, tried and tested. Such ramps should definitely have steel railings and handles."

Is data available?

Only Kerala High Court maintains information on ramps in the High Court premises.[384]

[383] https://indiankanoon.org/doc/42114927/
[384] https://highcourt.kerala.gov.in/

Amenities to the Visually Challenged :

1. Ramp facilities
2. At the Western side near the Judge's lobby
3. At the Eastern side near the staff canteen
4. Special toilets for differently-abled persons (on the 8th floor, A block)
5. European closet in every floor
6. Wheelchairs in every floor
7. Lift with auditory signals
8. Escalator to 5th floor



RTI data: Ramps and lifts

While every High Court complex that responded[385] has elevator facilities, four High Courts—Uttarakhand, Himachal Pradesh, Karnataka, and \ Tripura—reported the absence of ramps within their premises.



KEY FINDINGS ON PROVISION OF AND DATA ON RAMPS AND LIFTS IN HIGH COURTS

There is a general absence of data on the availability and functionality of ramps and lifts in High Courts across India. Most High Courts do not publicly report on accessibility infrastructure, and no centralised mechanism exists to track or verify compliance with accessibility standards. This lack of data makes it difficult to assess progress or identify gaps in ensuring barrier-free access to court buildings for persons with disabilities.

[385]Andhra Pradesh, Bombay, Assam, Kerala, Madhya Pradesh, Madras, Manipur, Meghalaya, Odisha, Punjab and Haryana, West Bengal

However, isolated information on the presence of ramps in various High Courts can be traced to sources such as Judges Profiles (Manipur High Court),[386] and annual reports of the High Courts. For instance, the Annual Report of the Andhra Pradesh High Court states that the building has four lifts, and that ramps are provided "according to rules."[387] The Delhi High Court Annual Report states that its new block has "differently-abled persons access,"[388] but does not outline what these features are. The Himachal Pradesh High Court Annual Report states that the entry points to the High Court are accessible and that it has lifts,[389] but that it does not qualify as differently abled friendly as per the Harmonised Guidelines and the Court ruling in Rajiv Raturi v. UOI. The "State of the Judiciary" Report mentions that High Courts have taken efforts to make the complexes disability-friendly, but has not published any data on it.[390]

Such scattered references indicate some attempts to assess the accessibility of courts. However, in the absence of systematic data collection and centralised publication, tracking the true state of accessibility across High Courts becomes difficult.

[386]https://hcmimphal.nic.in/CJ%20Profile.html
[387]Page 102 https://aphc.gov.in/ANNUALREPORT2/
[388]https://delhihighcourt.nic.in/uploads/report/19109770366545ec72c6cf7.pdf 157
[389]https://hphighcourt.nic.in/pdf/Annual%20Report%20upto%2031.03.2023.pdf 94
[390]https://main.sci.gov.in/pdf/CRP/12012024_112431.pdf 32

3.2 Disability-friendly Toilets in High Court Premises



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF DISABILITY-FRIENDLY TOILETS IN HIGH COURT COMPLEXES

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	Partial
STATE	No	No	

Figure 6.9: Inclusion mandate, data mandate and data availability status of disability-friendly toilets in High Court premises



THE DATA STORY

What we considered as data points on disability-friendly toilets in High Courts?

High Courts may need a varying number of disability-friendly toilets depending on the population they serve. We have considered any data availability on the presence of disability-friendly toilets on High Court premises.

Mandates on Disability-Friendly Toilets in High Court Premises

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 45, RPwD Act**	Appropriate government to make public buildings accessible
	Rule 15, RPwD Rules	Comply with the Harmonised Guidelines
Central	**Section 12, RPwD Act**	The appropriate government has the obligation to ensure that persons with disabilities are able to exercise their rights to access courts without discrimination on the basis of their disability.

Table 6. 8: Mandates on disability-friendly toilets in High Court premises

Is data available?

Kerala High Court has published information on the presence of special toilets for persons with disabilities on its websites.[391] No other state has published data on accessible toilets. From its Annual Report,[392] it could be understood that Orissa High Court has a disability-friendly toilet; from a reported article[393] that Madras High Court was in the process of setting up one; and from a Bombay High Court order that it had none.[394] However, no comprehensive data exists in the public domain on accessible toilets in High Courts.

[391]https://highcourt.kerala.gov.in/ (under Amenities to the visually challenged)
[392]https://www.orissahighcourt.nic.in/annual_report_2023.pdf 20
[393]https://www.thehindu.com/news/cities/chennai/washroom-facility-for-persons-with-disabilities-to-be-set-up-at-madras-high-court/article37352265.ece
[394]https://www.livelaw.in/pdf_upload/washrooms-disability-friendly-496158.pdf

RTI Data: Disability-friendly Toilets

The High Courts of Assam, Bombay, Kerala, Odisha, Manipur, Madras, Tripura, Punjab & Haryana and Meghalaya stated that they have disability-friendly toilets. The High Courts of Uttarakhand and Himachal Pradesh, however, do not have disability-friendly toilets.

"I'm not satisfied with the pace of progress. I have to be honest with you... even the setting up of accessibility committees hasn't happened in most high courts as of now, despite push from the very top."

Rahul Bajaj,
Disability Rights Activist and Advocate

KEY FINDINGS ON PROVISION OF AND DATA ON DISABILITY-FRIENDLY TOILETS IN HIGH COURTS

No comprehensive data exists on the availability of disability-friendly toilets in High Courts across India. Some RTI responses we received seemed to conflate western-style toilets with those that are genuinely accessible to persons with disabilities. However, to meet the legal requirements, toilets must comply with RPwD Rule 15, which mandates specific features such as wider doors, grab rails, and appropriate height adjustments, in line with the Harmonised Guidelines. In the absence of toilets that meet these standards, the basic right of persons with disabilities to navigate court spaces with dignity and autonomy is compromised.

3.3 Accessible car parking in High Court Premises

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF ACCESSIBLE CAR PARKING IN HIGH COURT COMPLEXES

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	No	No	

Figure 6.10: Inclusion mandate, data mandate and data availability status of accessible car parking in High Court complex

THE DATA STORY

What we considered as data points on accessible car parking in High Court premises:

The Harmonised Guidelines as well as the Supreme Court Accessibility Report prescribe standards for accessible car parking spaces- these include specific dimensions, proximity to the main building, and signages. We have considered parking spaces which check these criteria.

Mandates on Accessible Car Parking in High Court Complexes

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 45, RPwD Act**	Appropriate government to make public buildings accessible
	Rule 15, RPwD Rules	Comply with the Harmonised Guidelines
Central	**Section 12, RPwD Act**	The appropriate government has the obligation to ensure that persons with disabilities are able to exercise their rights to access courts without discrimination on the basis of their disability.

Table 6.9: Mandates on accessible car parking in High Court complexes

The Supreme Court Accessibility Report also highlights the need for accessible parking spots for persons with disabilities: "to ensure they do not have to travel long distances, particularly if they use mobility aids like wheelchairs, after exiting their vehicles."

Is data available?

No High Court maintains data on accessible car parking spaces within its complex. Although the Kerala High Court website maintains data on other accessible infrastructure such as ramps and toilets, it has not published information on accessible car parking.

[395]Page 10

RTI responses: Accessible car parking spaces

Five High Courts—Odisha, Kerala, Madras, Tripura, Meghalaya, and Punjab & Haryana, have indicated the availability of parking facilities. However, these responses lack clarity on whether the facilities comply with accessibility standards mandated under the RPwD Act and associated guidelines. In contrast, six High Courts—Uttarakhand, Manipur, Himachal Pradesh, Karnataka, Guwahati, and Bombay, explicitly reported the absence of designated parking spaces for persons with disabilities.

KEY FINDINGS ON PROVISION OF AND DATA ON ACCESSIBLE CAR PARKING SPACES FOR PERSONS WITH DISABILITIES IN HIGH COURT PREMISES

There is no consolidated or publicly available data on accessible car parking spaces for persons with disabilities in High Court complexes across India. Information obtained through RTI responses refers to "earmarked" parking spots, but mere designation is insufficient. To be compliant, these **parking spaces must adhere to accessibility standards under the RPwD Act and Harmonised Guidelines; ensuring features such as proximity to entrances, appropriate signage, surface quality, and sufficient width for wheelchair users.**

The absence of such standards renders these provisions symbolic rather than functional, limiting real access for persons with disabilities.

3.4 Electronic Devices that Enable Accessibility in High Courts

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF ELECTRONIC DEVICES THAT ENABLE ACCESSIBILITY IN THE HIGH COURTS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	No	No	

Figure 6.11: Inclusion mandate, data mandate and data availability status of electronic devices that enable accessibility in the High Courts

THE DATA STORY

What we considered as data points on electronic devices that enable accessibility in High Courts:

Electronic devices that enable accessibility, such as screen readers, text to audio conversion etc., that are present in the High Court complex or are provided to litigants on request, are considered for this data point.

Mandates on Electronic Accessibility Devices in High Courts

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 42, RPwD Act**	Imposes an obligation on the government to make information and communication technology accessible for persons with disabilities

Table 6.10: Mandates on electronic accessibility devices in the High Court

Section 42 of the RPwD Act mandates that the Government ensure all media content is accessible in various formats. This includes providing audio descriptions, sign language interpretation, and closed captioning. It also requires that electronic goods and equipment follow universal design principles for accessibility.[396] Some of the suggested additions to improve technology based accessibility includes instant audio description and assistive listening devices (recommended by the Supreme Court Accessibility Report)[397] and "low vision computer to enlarge the printed text, display them on computer, video monitor which can be visually read by users with very limited eyesight" (Recommended by the Delhi High Court).[398]

Is data available?

No High Court maintains data on electronic devices that enable accessibility in the HC. Information on the presence of a Braille Printer in the Madras HC Complex has been listed in the Supreme Court e-committee website.[399]

[396]Section 42, RPwD Act
[397]Page 42
[398]https://judicialacademy.nic.in/sites/default/files/Rakesh%20Kumar%20v.%20State%20GNCTD.pdf para 66
[399]https://ecommitteesci.gov.in/project/e-initiatives-of-madras-high-court/#:~:text=To%20provide%20access%20to%20the,Bench%20of%20Madras%20High%20Court

RTI data: Electronic devices that enable accessibility

Madras High Court and Manipur High Court responded that they had a Braille printer in the High Court.

KEY FINDINGS ON PROVISION OF AND DATA ON ELECTRONIC DEVICES THAT ENABLE ACCESSIBILITY IN HIGH COURTS

In a judicial system that remains heavily reliant on paperwork and procedural documentation, electronic devices play a crucial role in enabling accessibility for persons with disabilities by facilitating access to case records, communication aids, and assistive technologies such as screen readers or speech-to-text tools. Recognising this, the RPwD Act includes a dedicated section on accessibility of Information and Communication Technology (Section 42). Despite this legal mandate, there is a complete absence of systematic data on the provision or availability of such electronic accessibility devices in High Courts.

3.5 Any Other Reasonable Accommodation Facilities Provided by High Courts

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF OTHER REASONABLE ACCOMMODATION FACILITIES PROVIDED BY HIGH COURTS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	Partial
STATE	No	No	

Figure 6.12: Inclusion mandate, data mandate and data availability status of other reasonable accommodation facilities provided by High Courts

THE DATA STORY

What we considered as data points on any other reasonable accommodations made for persons with disabilities in High Courts?

Reasonable accommodations provided on an individual basis, that are not electronic, or do not fit into other data points, such as provision of wheelchair facilities would qualify for this data point.

Reasonable accommodations vs accessibility: What is the difference?[400]

Accessibility and reasonable accommodation are distinct but interrelated obligations under the UNCRPD. Accessibility is an ex ante duty related to groups, requiring States parties to proactively establish broad and standardized accessibility standards across services, infrastructure, and systems, in consultation with organizations of persons with disabilities. This duty exists regardless of individual requests and cannot be excused by referencing austerity or the burden of implementation.
In contrast, reasonable accommodation is an ex nunc duty tied to individuals, enforceable from the moment a person with a disability requires specific support in a particular context, such as a court. While accessibility creates inclusive environments in general, it may not meet the needs of individuals with rare impairments or those who do not use standard modes of access. In such cases, reasonable accommodation ensures individual justice, non-discrimination, and equality, grounded in the dignity, autonomy, and choices of the person concerned.

Mandates on Other Reasonable Accommodations Provided by High Courts

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 3, RPwD Act**	Imposes an obligation on the government to provide reasonable accommodations for persons with disabilities.

Table 6.11: Mandates on reasonable accommodations provided by High Courts

[400]https://docs.un.org/en/CRPD/C/GC/2

Is data available?

The Delhi High Court maintains quarterly data on the number of requests received from persons with disabilities for seven indicators (See Fig 6.12).[401]

This includes both assistance in providing wheelchair facilities as well as assistance in any other reasonable accommodation.

Data regarding the requests received from the Persons with Disabilities for accessible filing/court documents or any other reasonable accommodation
(From 01.07.2024 to 30.09.2024)

Sl.No.	Description	Number of requests received	Number of requests disposed of
1.	Assistance in converting non-OCR files into accessibility complaint format by e-Sewa Kendra	01	01
2.	Assistance in providing accessible work stations for video conferencing by e-Sewa Kendra	01	01
3.	Any other assistance provided by e-Sewa Kendra	nil	nil
4.	Assistance in providing wheelchair facilities by Facilitation Centre	185	185
5.	Assistance provided in issuing Gate/Entry Passes to the Persons with Disabilities and the attendant accompanying them by Facilitation Centre	159	159
6.	Assistance regarding accessible website/portals	nil	nil
7.	Assistance in any other reasonable accommodation	nil	nil

Figure 6.13: Quarterly report on requests from persons with disabilities for reasonable accommodations

RTI data: Reasonable accommodations provided to persons with disabilities in High Courts

Among the 11 responses received, only the Madras High Court stated that they provide reasonable accommodations in the form of vulnerable witness rooms.

[401] https://delhihighcourt.nic.in/uploads/accessbility/8534503066628f47880bf2.pdf

KEY FINDINGS ON PROVISION OF AND DATA ON REASONABLE ACCOMMODATIONS PROVIDED TO PERSONS WITH DISABILITIES IN HIGH COURTS

"In the Delhi High Court, we've been working through the Accessibility Committee and are taking steps in that direction—for instance, appointing a nodal officer to whom requests can be made. These include requests for accommodation measures, sign language interpretation, accessible facilities, and accessible documents. I can confidently state that the Delhi High Court is much ahead of the pack when it comes to these measures."

Rahul Bajaj,
Disability Rights Activist and Advocate

Despite the express mandate under Section 3 of the RPwD Act to provide reasonable accommodation, there is a near-total absence of collated and publicly available data on such accommodations in High Courts. While accessibility committees have been constituted in many High Courts, most do not document their activities. The Delhi High Court stands as a notable exception, both in operationalising its accessibility committee and in publishing data. This practice also trickles down to the subordinate courts in the state, which now also release quarterly accessibility updates. Without similar transparency and compliance from other High Courts, the mandate of reasonable accommodation remains aspirational and unenforceable.

RECOMMENDATIONS TO IMPROVE DATA AVAILABILITY ON AND ACCESSIBILITY OF THE JUDICIAL SYSTEM FOR PERSONS WITH DISABILITIES

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
Inaccessibility of High Court Buildings	1. As public buildings, High Courts also have to comply with the RPwD Act and Rules. Steps must be taken to ensure that all High Courts comply with the law. 2. Modifications to heritage High Courts, such as the Bombay High Court, should be carried out with prior approval from the Heritage Committee. While preserving architectural integrity is crucial, it must not come at the expense of accessibility.	High Courts
Lack of consolidated data on accessibility measures in High Courts	1. Each High Court should be mandated to conduct annual accessibility audits, the findings of which must be published on the Court websites	High Courts
Inactive Accessibility Committees	1. Appoint designated nodal officers within each High Court's accessibility committee and publicly disclose their contact information. This will enable persons with disabilities to directly request reasonable accommodations and report accessibility barriers	Accessibility Committees of High Courts

Table 6.12: Recommendations to improve data availability on and accessibility of the Judicial system for persons with disabilities

INDICATOR 4 - System Response: Disability Awareness and Disability Responsiveness of the Judicial System

Summary of Findings:

SUB-INDICATOR	MANDATES FOR INCLUSION		MANDATES FOR DATA		DATA AVAILABILITY
4.1 Annual Training/ Sensitisation/Awareness Programs for High Court Judges Regarding Persons with Disabilities	Centre State	◉ ○	Centre State	○ ○	○
4.2 Sign language interpreters in the High Courts	Centre State	◉ ◐	Centre State	○ ○	○

Figure 6.14: Summary of findings on disability awareness and disability responsiveness of the judicial system

AVAILABLE PUBLIC DATA: No public data is available on any of the sub indicators.

KEY
◉ Yes
◐ Partial
○ No

4.1 Annual Training/Sensitisation/Awareness Programs for High Court Judges Regarding Persons with Disabilities



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY OF TRAININGS/ SENSITISATIONS/ AWARENESS PROGRAMMES FOR HIGH COURT JUDGES

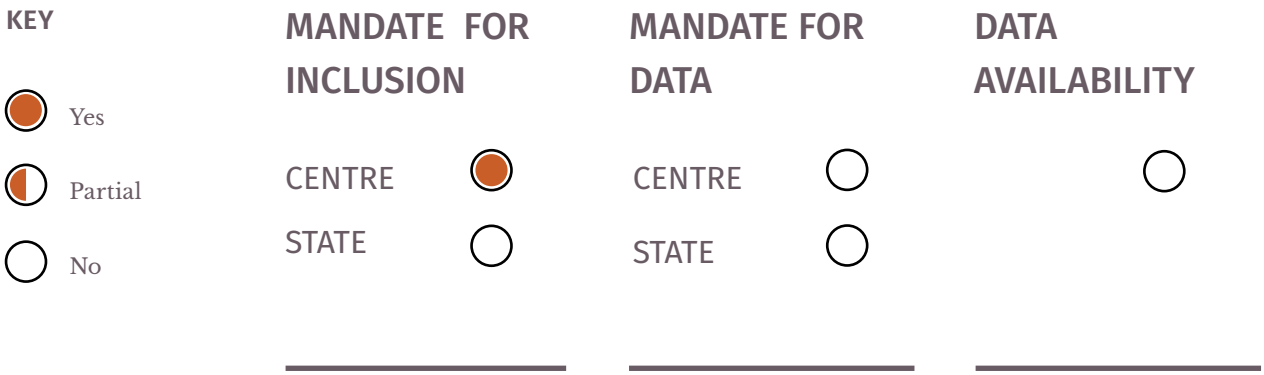


Figure 6.15: Inclusion mandate, data mandate and data availability status of annual training/ sensitisation/ awareness programmes for High Court judges



THE DATA STORY

What we considered as a data point on annual training/sensitisation/ awareness programs for High Court judges regarding persons with disabilities?

We considered data on training conducted for High Court judges by judicial academies. We have exempted court administrative staff training from this data point.

Mandates on Annual Training/Sensitisation/Awareness Programs for High Court judges

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 47(1), RPwD Act	The appropriate Government has the obligation to mandate training on disability rights in all courses for the training of judges.

Table 6.13: Mandates on annual training/sensitisation/awareness programs for High Court judges

Is data available?

No High Court publishes data on the number of trainings/ sensitisations undergone by its judges. While some state judicial academies have conducted sessions on disability rights for subordinate court judges, there exists no comprehensive record of these efforts.[402]

RTI data: Trainings conducted for High Court judges regarding persons with disabilities

Among the nine courts that responded to the question, none reported conducting training, sensitisation, or awareness programs for High Court judges on issues related to persons with disabilities.

[402] https://judicialacademy.nic.in/sites/default/files/Calendar%202023_0.pdf

KEY FINDINGS ON THE PROVISION OF AND DATA ON TRAININGS CONDUCTED FOR HIGH COURT JUDGES REGARDING PERSONS WITH DISABILITIES

Section 47 of the RPwD Act mandates training for judicial officers on the rights of persons with disabilities to ensure a more inclusive legal environment. However, while such training is extended to subordinate court judges, it remains largely absent for High Court judges, with RTI data confirming that disability rights training is not systematically provided at this level.

"There is definitely greater awareness of these (disability) issues. And there are many judges who want to take it seriously and want to be thoughtful and proactive in terms of ensuring inclusion. So more than even the sensitisation sessions, I think, the everyday interaction that judges will have over disabilities also matter."

~Disability Rights Professor

This underscores the need for consistent, hands-on exposure to disability issues in the judiciary, beyond formal training sessions. **The Handbook Concerning Persons with Disabilities ["Handbook"] released by the Supreme Court of India acknowledges the importance of judges' sensitisation in order to build a more inclusive and sensitive justice system.**[403] The Handbook provides certain guidelines to judges concerning disability; however, dedicated training and sensitisation of High Court judges is not recommended by the Supreme Court either in its Accessibility Report nor in its SOP– while training is recommended for court staff and lawyers. The National Judicial Academy also routinely organizes training sessions and workshops for High Court judges on a wide range of topics such as commercial laws, counter terrorism laws etc; yet workshops on the RPwD Act and general disability sensitisation are glaringly absent from its calendar.[404]

[403]https://main.sci.gov.in/Annualreport/annual_report/HighCourt-2023.pdf
[404]https://nja.gov.in/concluded_programmes.html

4.2 Sign Language Interpreters in the High Courts



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF SIGN LANGUAGE INTERPRETERS IN HIGH COURTS

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	Partial	No	

Figure 6.16: Inclusion mandate, data mandate and data availability of sign language interpreters in High Courts



THE DATA STORY

What we considered as a data point on sign language interpreters in the High Courts?

We considered sign language interpreters employed by High Courts, on a permanent/ contractual or case to case basis for this data point.

Mandates on Sign Language Interpreters in High Courts

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	**Section 3, RPwD Act**	The appropriate government has the obligation to take necessary steps to provide reasonable accommodations for persons with disabilities.
	Section 12, RPwD Act	The appropriate government has the obligation to ensure that persons with disabilities are able to exercise their rights to access courts without discrimination on the basis of their disability.
	Section 12, RPwD Act	The appropriate government has the obligation to ensure that persons with disabilities are able to exercise their rights to access courts without discrimination on the basis of their disability.

Table 6.14: Mandates on sign language interpreters in High Courts

Is data available?

There is no data on sign language interpreters whose assistance has been sought by the Courts nor the number of cases in which such assistance has been sought. Delhi High Court maintains a list of sign language interpreters.[405]

[405]https://delhihighcourt.nic.in/uploads/public_notice/92166314165311827b36aa.PDF

RTI data: Sign language interpreters

Out of the 15 High Courts that responded, none had a dedicated sign language interpreter. The Karnataka High Court stated that it arranges for interpreters as needed, while the Madras High Court mentioned that the position of a sign language interpreter does not exist within its system.

KEY FINDINGS ON INCLUSION OF AND DATA ON SIGN LANGUAGE INTERPRETERS IN HIGH COURTS

The Supreme Court Social Justice Committee Report, published in 2022, has stated that no court in the country has a Sign Language Interpreter.[406] Since then, there have been instances where sign language interpreters have been appointed at the Supreme Court, the Delhi High Court, and the Karnataka High Court, but there is no data on sign language interpreters whose assistance has been sought by the Courts nor the number of cases in which such assistance has been sought. Delhi High Court maintains a list of sign language interpreters.[407]

[406]https://districts.ecourts.gov.in/sites/default/files/Social_Justice_Committee_Report.pdf 65
[407]https://delhihighcourt.nic.in/uploads/public_notice/92166314165311827b36aa.PDF

RECOMMENDATIONS TO IMPROVE SYSTEM RESPONSES FOR PERSONS WITH DISABILITIES IN THE JUDICIARY

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
No training programmes are conducted for High Court judges on the rights of persons with disabilities	Although High Court judges do not receive formal induction training, national and state judicial academies regularly conduct specialised workshops on different areas of law. Similar workshops on the Rights of Persons with Disabilities Act and the UNCRPD, along with orientation based on the Supreme Court Handbook, must be introduced to equip judges to handle disability-related cases with greater sensitivity.	National Judicial Academy, State Judicial Academies
Lack of sufficient number of sign language interpreters in High Courts	Each High Court must maintain a roster of sign-language interpreters who may be readily available upon request in case of request from a litigant.	State High Courts

Table 6.15: Recommendations for disability inclusive system responses for persons with disabilities in the Judiciary

6.4. Key Takeaways and Recommendations for High Courts in India

	CHALLENGES	RECOMMENDATIONS
At the Mandate Level	Section 34 does not apply to the appointment of judges of the Supreme Court and High Court as they are appointed by the Collegium based on a wide range of factors. This has resulted in a near absence of persons with disability in the System.	The Collegium must adopt a holistic approach when considering judicial appointments, proactively identifying and recommending qualified persons with disabilities. Efforts must come from within the system to ensure that individuals with disabilities are recognised as fully capable of effectively fulfilling the duties of a judge, promoting a more inclusive and diverse judiciary.
	The phrasing of Rules under Rule 15 of the RPwD Act has contributed to a lack of effective compliance with its mandates. By framing accessibility mandates as "guidelines" rather than clear, enforceable mandates/laws/rules the law has inadvertently created ambiguity in operationalising the intent of the RPwD Act.	Under Rule 15 of the RPwD Rules, the language must shift from "guidelines" to "mandates," as mandated by the Rajiv Raturi judgment. This shift is crucial to ensuring that accessibility for persons with disabilities is not treated as optional but as a binding legal requirement. As institutions of justice, the judiciary must act swiftly in ensuring compliance with accessibility requirements.
	Judicial attitudes towards disability rights remain a critical area of concern, particularly given that training and sensitisation programs on disability issues under the RPwD Act are often restricted to lower court judges and court staff.	Disability awareness must be systematically integrated across the entire judiciary, encompassing judges, lawyers, and court staff.

	CHALLENGES	RECOMMENDATIONS
At the Data Level	While the RPwD Act mandates specific measures for inclusion, the lack of consistent monitoring and the absence of published data hinder the ability to assess actual compliance and track meaningful progress by the Judiciary.	The Accessibility Committees should spearhead the establishment of a standardized system for systematic data collection on the accessibility of judicial infrastructure and the inclusion of persons with disabilities. The Committees should ensure regular monitoring, data disaggregation, and public reporting to enhance transparency and accountability

Table 6.16: Key takeaways and general recommendations for High Courts in India



7.1. Introduction

DISABILITY INCLUSION IN INDIA'S LEGAL AID SYSTEM

Access to justice is a fundamental human right enshrined in international conventions and the Indian Constitution. However, for persons with disabilities, this right remains elusive, and impeded by a complex array of social, infrastructural, legal and institutional barriers. One of the most significant of these barriers is the limited and inequitable access to free or affordable legal assistance—a service that is often the first gateway to accessing broader legal rights and protections.

"We don't even know how many people with disabilities come for legal aid, let alone how many get it.."

-Legal aid expert

As per Principle 6 of the International Principles and Guidelines on Access to Justice for Persons with Disabilities[408],states are obligated to ensure competent, timely and free or affordable legal assistance to persons with disabilities across all legal proceedings affecting their rights.

[408]https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2020/10/Access-to-Justice-EN.pdf

LEGAL AID AND PERSONS WITH DISABILITIES IN INDIA

India has established a legal framework to support legal aid.

- Article 39A of the Constitution specifically calls for free legal aid to ensure no one is denied justice because of economic or other disadvantages.
- The Legal Services Authorities Act, 1987, includes persons with disabilities among those who are entitled to free legal services.
- The Rights of Persons with Disabilities Act, 2016, goes a step further—stating that governments must ensure persons with disabilities have access to all courts and legal bodies and that they're provided the support they need to participate in legal proceedings.
- Section 7(4)(c) of the RPwD Act further requires police officers to inform aggrieved persons with disabilities of their right to free legal aid.
- NALSA (Child-Friendly Legal Services for Children) Scheme, 2024 focuses on legal literacy for teachers, donors and officers responsible for the welfare of the children.
- NALSA (Legal Services to Persons with Mental Illness and Persons with Intellectual Disabilities) Scheme, 2024, provides disability-specific accommodations as follows:

  * Responsive Legal Services: To ensure that legal services are responsive to the specific legal and social needs of persons with mental illness and intellectual disabilities

  * Accessibility of Legal Services: To ensure that legal services are accessible for persons with mental illness and intellectual disabilities in all civil, administrative, criminal or related matters

  * Specialised Units: To create a specialised unit of panel lawyers and para-legal volunteers in every district who possess requisite knowledge about the special needs of persons with mental illness and intellectual disabilities

  * Equal Access: To ensure that persons with mental illness and intellectual disabilities have equal access to schemes, programs, facilities or services

- A few High Courts have also begun introducing digital and remote access tools that can benefit persons with disabilities.

Despite these protections on paper, the real-world experience often tells a different story. Many court buildings and legal aid offices are still not accessible to people with mobility or sensory impairments. Legal documents are rarely available in formats like Braille, large print, or easy-to-read language. Sign language interpretation and other communication support are often missing. And, most critically, many legal professionals lack the training or awareness to properly serve clients with disabilities.

International Principles and Guidelines on Access to Justice for Persons with Disabilities require legal service providers to report interactions with prisoners with mental illness or intellectual disabilities and ensure that they are provided legal representation and appropriate care. Panel lawyers are also mandated to undertake detailed pre-trial preparation with clients who are persons with disabilities, explaining legal processes, courtroom environments and possible outcomes.[409] These nuanced service elements demand rigorous monitoring through data that captures service quality, responsiveness and user experience, which is currently lacking.

[409]United Nations, International Principles and Guidelines on Access to Justice for Persons with Disabilities, Article 6, UN Doc A/HRC/44/38, 2020. Available at: https://www.ohchr.org/en/documents/tools-and-resources/international-principles-and-guidelines-access-justice-persons
"To guarantee the right to a fair trial, States shall provide free or affordable legal assistance to children with disabilities in all matters, and to all other persons with disabilities in all legal procedures and proceedings that relate to violations of human rights or fundamental freedoms or those that could negatively affect such rights or freedoms, in particular the rights to life, liberty, personal integrity, property, adequate housing, decision making autonomy and family integrity. Legal assistance must be competent and available in a timely manner for persons with disabilities to participate equally in any legal proceedings."

LEGAL AID DATA AVAILABILITY - A DISMAL PICTURE

Despite the strong legislative foundation, significant gaps in data pertaining to persons with disabilities in the justice system hinder the evaluation of these mandates from a practice and implementation point of view.

The National Legal Services Authority (NALSA) reports that 11,591 persons with disabilities utilised legal aid services across various channels during 2023–2024. Further, between April and December 2024, 6,351 persons with disabilities sought help through legal services.

Initiatives like the NALSA Legal Services Mobile App and specialised legal clinics have improved access to legal aid. For example, nearly 29,050 persons with disabilities received legal services between April 2018 and January 2022. However, there remains a shortage of trained legal professionals specialising in disability law, posing a significant challenge.

The NALSA data does not provide details on the number of persons with disabilities working as legal aid staff, panel lawyers or paralegal volunteers (PLVs).

There is no publicly accessible audit regarding the accessibility features in front offices or legal aid clinics—such as ramps, tactile signage, assistive technologies or sign language interpretation. Additionally, information on the provision of reasonable accommodations, the frequency and scope of disability-specific sensitisation programs and the effectiveness of outreach to rural or high-support needs populations is nearly non-existent.

In the absence of such data, accountability mechanisms remain weak and policy interventions risk being misdirected or insufficient. The remaining sections in the report contour national and state level mandates on inclusion of persons with disabilities, mandates on data collection and reporting, scaffolding state accountability towards inclusion and available data on disability inclusion in legal aid.

TREATMENT OF PEOPLE SEEKING LEGAL AID WITH DISABILITIES IN INDIA (AN OVERVIEW OF RELEVANT CASES)

2022 – Shakeel Ahmed Case

SUPREME COURT OF INDIA, CIVIL APPEAL NO. 1598 OF 2023

Issue: The case addressed the aftermath of the 1992–93 Mumbai riots and 1993 bomb blasts. Among the victims were persons with disabilities and those who went missing, for whom the government had failed to provide timely aid and compensation. Many affected individuals were not traced or assisted, including potential persons with disabilities who lost homes, mobility, and access to justice.

Court's action: Directed the State to pay compensation with interest to the families of missing persons and implement recommendations of the Srikrishna Commission. A monitoring committee was set up, with directions to involve para-legal volunteers.

Impact: Recognised State failure to uphold rights under Article 21 and acknowledged the importance of structured legal aid systems (including PLVs) in supporting marginalised populations like persons with disabilities during crises.

2024 – Society for Enlightenment and Voluntary Action Case

SUPREME COURT, WRIT PETITION (CIVIL) NO. 1234 OF 2017

Issue: Addressed the widespread failure to prevent child marriages and highlighted the lack of support systems for affected minors—many of whom experience mental and physical disabilities due to early pregnancies and abuse.

Court's action: Directed the creation of a special scheme for survivors, including legal aid, psychological support, and vocational training. Emphasised intersectionality, calling for legal mechanisms that consider disability, caste, gender, and poverty.

Impact: Established a precedent for integrated support (including legal aid) for minors facing intersectional vulnerabilities—especially those with trauma-related disabilities.

GLOBAL PRACTICES IN LEGAL AID FOR PERSONS WITH DISABILITIES

The following global examples highlight how different countries are advancing inclusive legal aid practices and offer valuable lessons for India's justice system.

Setting Global Standards- United Nations Guidelines:

In 2020, the United Nations released a comprehensive set of guidelines on access to justice for persons with disabilities. These International Principles and Guidelines[410] urge states to provide free, competent legal aid and to ensure accessibility across all stages of legal proceedings. The guidelines emphasise reasonable accommodations—such as sign language interpreters, easy-to-read legal documents, and trained support staff—as essential tools to facilitate full participation in the justice system.

Australia: Community-Driven Legal Support

Australia's Disability Discrimination Legal Service (DDLS), based in Victoria, offers free legal advice and advocacy for persons with disabilities facing discrimination. What makes DDLS stand out is its community-based model. The organisation actively conducts outreach, provides services in Australian Sign Language (Auslan), and ensures all its resources are accessible—both physically and digitally.[411]

United Kingdom: Legal Equality in Action

In the UK, the Equality Act 2010[412] provides a robust framework against disability-based discrimination. While legal aid is income-tested, disability-related cases often receive special consideration. The Equality and Human Rights Commission supports strategic litigation and ensures that legal service providers offer accessible materials such as Braille documents, large-print resources, and digital formats compatible with screen readers.

[410]United Nations Human Rights Council, *International Principles and Guidelines on Access to Justice for Persons with Disabilities*, A/HRC/44/38, 2020.
[411]Disability Discrimination Legal Service (DDLS), Victoria, Australia. Available at: https://ddls.org.au/
[412]Equality and Human Rights Commission (UK). Available at: https://www.equalityhumanrights.com

United States: Advocacy Through Protection & Advocacy Systems

The U.S. operates a nationwide Protection and Advocacy System, which provides legal services to persons with disabilities on issues ranging from housing and education to healthcare and abuse prevention. These agencies, backed by federal legislation, are embedded in each state and offer not only legal representation but also community training and policy advocacy. Importantly, they tailor services to meet the diverse communication and support needs of their clients.[413]

South Africa: Legal Aid with a Disability Rights Focus

South Africa's national legal aid provider, Legal Aid South Africa, explicitly includes persons with disabilities as a priority group.[414] The system incorporates dedicated disability rights units and has begun implementing inclusive practices in legal aid front offices, such as physical accessibility, communication accommodations, and sensitisation of staff.

Kenya: Mobile Clinics and Community Legal Education

Kenya's Legal Aid Act, 2016 identifies persons with disabilities as a priority group for state-funded legal aid. Innovative initiatives like mobile legal aid clinics and translated legal awareness materials help bridge the access gap for rural and linguistically diverse populations. The Kenya National Commission on Human Rights has also led efforts to make legal texts accessible to the visually impaired.[415]

[413]National Disability Rights Network (U.S.). Available at: https://www.ndrn.org/
[414]Legal Aid South Africa. Annual Reports and Accessibility Policy. Available at: https://legal-aid.co.za
[415]Legal Aid Act, 2016 (Kenya); Kenya National Commission on Human Rights Reports.

WHY GLOBAL MODELS OF LEGAL AID CANNOT BE DIRECTLY TRANSPLANTED INTO INDIA

While global examples of inclusive legal aid offer valuable inspiration, India's unique socio-cultural context—marked by deep-rooted hierarchies, economic disparities, and a legacy of social exclusion—demands a more localised, intersectional approach.

Perhaps the most critical factor is caste. Unlike race or class divisions in other countries, caste in India operates as a complex system of inherited privilege and exclusion that pervades every institution—including the justice system. A Dalit woman with a disability, for instance, may face hostility at the police station, silence from her community, and indifference in the courtroom. These experiences are often invisible in formal legal aid frameworks that do not acknowledge the intersection of caste and disability.

7.2. Methodology

The study employed primary and secondary research methods to identify national and state level mandates on inclusion of persons with disabilities, mandates on data collection and reporting, scaffolding state accountability towards inclusion and available data on disability inclusion in legal aid towards achieving a broader objective of enabling access to justice for persons with disabilities.

Secondary research helped inform the main body of the work, while primary research through in-depth interviews provided a holistic understanding of the challenges of the system in providing justice and upholding the rights of persons with disabilities. To validate the availability or unavailability of data based on secondary desk research, RTIs were filed to legal services authorities across states and districts. Details of each of the methods used are given below.

A. SECONDARY DESK RESEARCH

Our findings were informed through secondary desk research on mandates for inclusion, mandates for data and availability of data on persons with disabilities within the legal aid system. These aspects were analysed using a framework (Figure 7.1).

The Framework of analysis

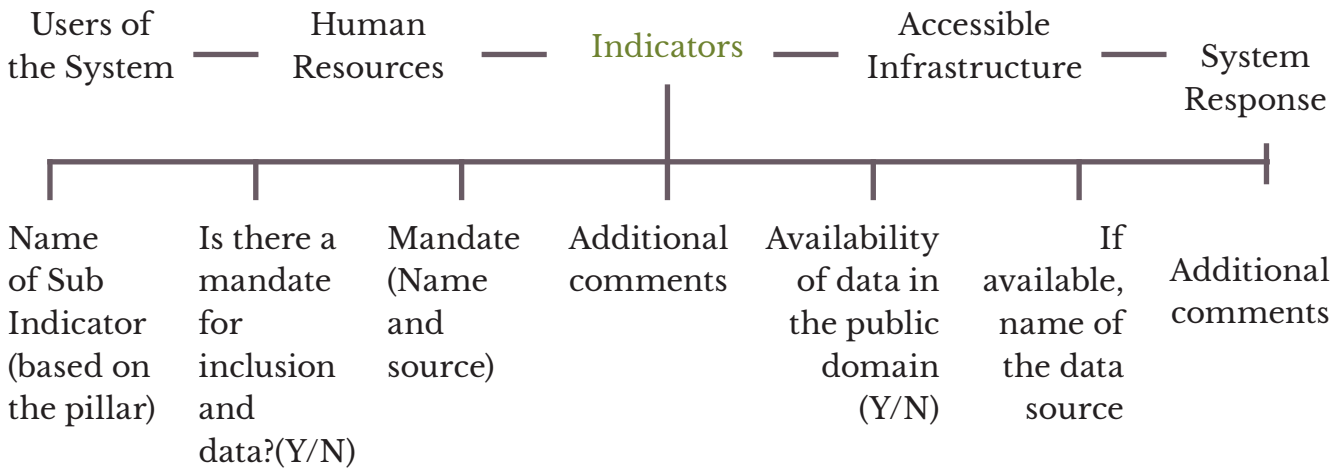


Figure 7.1: The Framework of analysis

The framework included four indicators namely, human resources, accessible infrastructure, users of the system, and system response. Each indicator has one or more sub-indicators. The number of sub-indicators chosen for the legal aid system per category of indicators along with the details of sub-indicator/s is given in Table 7.1. All states and union territories of India were included in the analysis.

What do we consider as mandates of disability inclusion in legal aid?

A mandate is a legal obligation that compels the inclusion of persons with disabilities within the legal aid system. Furthermore, any Act or Rule that mandates data collection/recording/reporting on the indicator was included.

Criteria for Determining Legal Mandates

A mandate, for the purposes of this report, is considered only if it is legally enforceable—arising from central legislation, rules or government-issued guidelines that impose a duty on legal services institutions. Specifically, the following have been considered:

1. The Legal Services Authorities Act, 1987, and its subordinate rules and regulations, which establish a framework for providing free and competent legal aid to eligible persons, including persons with disabilities.
2. The Rights of Persons with Disabilities Act, 2016 (RPwD Act), and its accompanying rules, which mandate the inclusion of persons with disabilities in all areas of public life, including legal aid services. The Act obliges legal service institutions to ensure accessibility, provide reasonable accommodations and appoint relevant personnel to support persons with disabilities.

3. State Legal Services Authority (SLSA) and District Legal Services Authority (DLSA) Guidelines and SOPs that contain enforceable obligations relating to the inclusion of persons with disabilities, accessibility measures, or the appointment of support personnel.
4. NALSA (Legal Services for Differently Abled Children) Scheme, 2021 which focuses on legal literacy for teachers, donors and officers responsible for welfare of the children.
5. NALSA (Legal Services to Persons with Mental Illness and Persons with Intellectual Disabilities) Scheme, 2024 provides disability-specific accommodations

Acts and Rules were considered where they explicitly mandated:

1. The identification or enumeration of persons with disabilities accessing legal aid services
2. The inclusion of persons with disabilities in legal aid delivery systems (e.g., as para legal volunteers, panel lawyers, or staff)
3. The provision of reasonable accommodations (such as accessible infrastructure, communication support, or home visits), and
4. The recording, collection, or reporting of data relating to any of the above

What was Considered as Available Data Pertaining to Persons with Disabilities seeking Legal Aid

Data against these mandates must be:

1. published by the NALSA
2. publicly available
3. systematically reported on a consistent data point
4. published post-2016 (i.e., within the last seven years of the enactment of the RPwD Act, 2016)

The framework contained data variables under four categories of indicators namely, human resources, accessible infrastructure, users of the system, and system response.

Indicators and sub-indicators for analysis of disability inclusion in the legal aid system

Indicators	No. of Sub-Indicators	Sub-Indicator
Users of the System	1	1. Persons with disabilities who have been beneficiaries of Legal Aid
Human Resources	2	1. Staff members with disabilities in NALSA, State Legal Service Authorities, and District Legal Services Authority. 1. Persons with disabilities practicing as PLVs, empanelled counsels, defense counsels, etc
Users of the System	4	1. Persons with disabilities who have accessed the system. 2. Crimes committed against persons with disabilities. 3. Cases registered against persons with disabilities. 4. Cases registered under Sec. 92 of the RPwD Act.
System Response	1	1. Annual training/sensitisation/awareness programs for police officers regarding PwDs.

Total sub-indicators considered for Legal aid: 7

Table 7.1: Indicators and sub-indicators for analysis of disability inclusion in the legal aid system

The review was conducted over a period of four months, from February 2024 to June 2024. A secondary literature review on judicial pronouncements was completed in March 2025. Mandate and data availability for every state and UT was mapped per sub-indicator in each indicator. Where mandates were unavailable, guidelines and other directives were noted under additional comments. Additionally, data that did not meet the defined criteria, such as one-off data points, anecdotal references, data in annual reports, judgements, court orders and parliamentary answers were noted. The exercise was done on Microsoft Excel and data was compiled manually against the framework to draw broad conclusions.

B. FILING OF RTIS

The RTI methodology developed through this campaign focused on assessing disability inclusion across India's legal aid ecosystem. RTI applications were filed with NALSA, SLSAs, DLSAs, High Courts, and relevant public bodies, with questions organised around key areas such as staff representation, accessibility of infrastructure and websites, provision of legal aid to persons with disabilities, availability of support staff, and sensitisation programs.

RTIs were filed to appropriate ministries and departments on data availability. The questions and responses are documented Annexure 4A: RTI Questions and Annexure 4B: RTI Responses. A total of 114 RTIs (one for NALSA, each SLSA and each DLSA) were filed over a month. Specific responses that carry data insights are embedded within the report under the relevant sections.

A consistent finding was the fragmentation of data. State-level authorities often lacked consolidated information and redirected queries to district-level offices. This resulted in a high volume of transfers and decentralised responses. While some offices, such as district legal aid clinics in Madhya Pradesh, requested payment for information, others provided it free of charge. Rejections were common, such as the Rajasthan High Court refusing applications on the grounds of format, despite there being no such requirement under the RTI Act.

Broadly, the responses received to the RTI queries highlighted the lack of systematised data collection, with authorities often lacking the requisite data. This led to multiple transfers of the queries and decentralised responses. However, despite the challenges, the RTIs provided valuable data, highlighting good practices and

C. QUALITATIVE INTERVIEWS

We conducted the following two in-depth interviews with experts:

1. Siddharth Lamba
2. Prajwal K Aradhya

The experts were asked about how disability featured within the court system, especially with respect to opportunities for persons with disabilities to be employed in the legal field. The questions also focused on how many persons with disabilities were provided with legal aid, sensitisation of programmes benefitting persons with disabilities and readiness of courts and their infrastructure. Experts were also probed on attitudes of the systems to data and opportunities for better data collection on persons with disabilities. Both interviews were conducted online and took approximately 60 minutes. All interviews were recorded and extracts to support findings were taken.

7.3 Data Narrative for Inclusion of Persons with Disabilities in the Legal Aid System

INDICATOR 1 - Users of the system: Persons with Disabilities as Justice Seekers in the Legal Aid System

INDICATOR 2 - Human Resources: Persons with Disabilities as Justice Providers in the Legal Aid system

INDICATOR 3 - Accessible Infrastructure: Physical and Digital Accessibility and Inclusion of Persons with Disabilities at Legal Aid Front Offices

INDICATOR 4 - System Response: Disability Awareness and Disability Responsiveness of the Legal Aid System

INDICATOR 1 - Users of the system: Persons with Disabilities as Justice Seekers in the Legal Aid System

Summary of findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
1.1. Persons with disabilities who have been beneficiaries of legal aid	Centre ◉ State ◉	Centre ◉ State ◉	◐

Figure 7.2: Summary of findings on persons with disabilities as justice seekers in the Legal Aid system

AVAILABLE PUBLIC DATA: NALSA has published the Statistical Snapshot and Annual Report on its website. According to it for instance, during the years 2023–2024, a total of 11,591[13] persons with disabilities accessed legal aid services at various levels. Additionally, between April and December 2024, 6,351[14] persons with disabilities availed these services.

KEY
◉ Yes
◐ Partial
○ No

1.1. Persons with Disabilities who have been Beneficiaries of Legal Aid

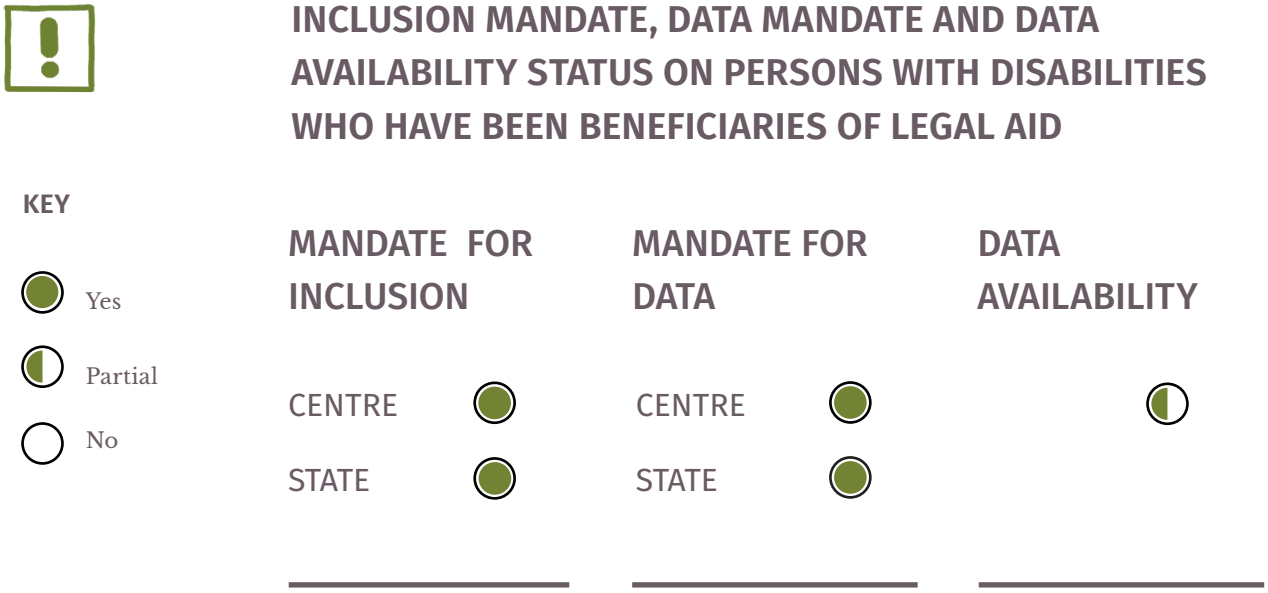


Figure 7.3: Inclusion mandate, data mandate and data availability status of number of persons with disabilities beneficiaries of Legal Aid

THE DATA STORY

What we considered as a data point on the users of the legal aid system?

This data point captures the number of persons with disabilities who have sought assistance under the legal aid schemes in India. Legal aid schemes in India entitle persons with disabilities to free legal services, for filing or defending a case.

Mandates on Persons with Disabilities who have been Beneficiaries of Legal Aid

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Article 39A, Constitution of India	State shall secure that the operation of the legal system promotes justice on the basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities
	Section 12, Legal Services Authority Act 1987[416]	Under Section 12 (d) of the LSA Act, persons with mental illness or other disabilities are entitled to free legal services, for filing or defending a case Section 12 (g) of the LSA Act further extends the entitlement to all persons who are in custody in a psychiatric hospital or psychiatric nursing home. Mandates monitoring and evaluation of the scheme's implementation by the central authority, which is NALSA[417]

[416]https://drive.google.com/file/d/1WJ21cJ-zxkxLLq_-5pFRs3qROh16x7Tv/preview
[417]Section 4(i) of the Legal Services Authorities Act 1987, https://drive.google.com/file/d/1WJ21cJ-zxkxLLq_-5pFRs3qROh16x7Tv/preview

MANDATE LEVEL	MANDATE	
	Section 12, RPwD Act, 2016	Appropriate government to ensure that persons with disabilities are able to exercise the right to access any court, tribunal, authority, commission or any other body having judicial or quasi-judicial or investigative powers without discrimination based on the disability. The government shall also take steps to put in place suitable support measures for persons with disabilities, especially those living outside the family and those requiring high support for exercising legal rights.
	Section 27 Mental Healthcare Act, 2017	Section 27 (1) states that a person with mental illness shall be entitled to receive free legal services to exercise any of his rights under the Act

MANDATE LEVEL	MANDATE	EXPLANATION
	NALSA (Legal Services to Persons with Mental Illness and Persons with Intellectual Disabilities) Scheme, 2024	1. **Responsive Legal Services:** To ensure that legal services are responsive to the specific legal and social needs of persons with mental illness and intellectual disabilities 2. **Accessibility of Legal Services:** To ensure that legal services are accessible for persons with mental illness and intellectual disabilities in all civil, administrative, criminal or related matters 3. **Specialised Units:** To create a specialised unit of panel lawyers and para-legal volunteers in every district who possess requisite knowledge about the special needs of persons with mental illness and intellectual 4. **Equal Access:** To ensure that persons with mental illness and intellectual disabilities have equal access to schemes, programs, facilities or services
State	State Legal Services Authorities, including Delhi,[418] Rajasthan[419]	Mandates for maintaining records of persons with disabilities accessing the system

Table 7.2: Mandates on Persons with Disabilities who have been Beneficiaries of Legal Aid

[418]https://dslsa.org/statistics/
[419]https://rlsa.gov.in/legal-aid.html

Is data available?

In compliance with the mandate, NALSA has published the Statistical Snapshot and Annual Report on its website. According to it for instance, during the years 2023–2024, a total of 11,591[420] persons with disabilities accessed legal aid services at various levels. Additionally, between April and December 2024, 6,351[421] persons with disabilities availed these services.



RTI Data: Beneficiaries Accessing Legal Aid Schemes

We received about 76% valid responses to our RTIs. Of these responses, only about 43% of the DLSAs confirmed providing legal aid to persons with disabilities.

Across dozens of districts, only a handful of individuals with disabilities have accessed legal support—often just one or two per district, and in many places, the number isn't even reported.

Only one outlier, Odisha's Khurda district, shows meaningful engagement with 217 persons with disabilities having been provided legal aid, highlighting either a rare success or a data anomaly.

RTI responses are in Table 4B.3 at Annexure 4B.



KEY FINDINGS ON INCLUSION OF AND DATA ON LEGAL AID BENEFICIARIES WITH DISABILITIES

There is a heavy mandate across the institutions to make legal aid accessible to persons with disabilities. Despite this, dis-aggregated data on beneficiaries accessing legal aid is not readily available. Even the State Legal Services Authorities

[420]https://drive.google.com/file/d/1RwDUkQRVkdFSGex9xXIFQ60dt9lFqIBr/view (Pg. 69)
[421]https://nalsa.gov.in/statistics/legal-service-beneficiaries-report/legal-service-beneficiaries-april-2024-to-december-2024

(SLSAs) lack detailed insights. Typically, the National Legal Services Authority (NALSA) requests this data from the SLSAs, who then seek information from the District Legal Services Authorities (DLSAs). However, SLSAs themselves often do not have clarity on whether beneficiaries are approaching a specific type of legal aid clinic, or the exact sources through which they are accessing legal aid services.

"The system works on a 'no demand, no service' logic. And the disabled are not demanding because they're locked out"

-Legal aid expert

RECOMMENDATIONS TO IMPROVE INCLUSION OF AND DATA PERTAINING TO PERSONS WITH DISABILITIES' ACCESS TO LEGAL AID

CHALLENGE	RECOMMENDATION	STAKEHOLDERS
Although data is available on persons with disabilities availing legal aid, there is a lack of detailed and disability disaggregated data-tracking of the applications, accommodation needed etc.	It is necessary to collect disability disaggregated data, including the type of disability and special accommodations needed. This information can be used to tailor system responses effectively.	1. NALSA, State legal services authorities and district legal services authorities.

Table 7.3: Recommendations to improve inclusion of and data on persons with disabilities' access to Legal Aid system

INDICATOR 2 - Human Resources: Persons with Disabilities as Justice Providers in the Legal Aid System

Summary of Findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
2.1. Staff members with disabilities in NALSA, State Legal Service Authorities, and District Legal Services Authority	Centre ◉ State ○	Centre ○ State ○	◐
2.2 Persons with Disabilities who are empanelled as PLVs and panel lawyers	Centre ◐ State ○	Centre ○ State ○	○

Figure 7.4: Summary of findings on persons with disabilities as justice providers in the legal aid system

AVAILABLE PUBLIC DATA: There is no publicly available data on the number of staff with disabilities working within NALSA, SLSAs, or DLSAs.

KEY
◉ Yes
◐ Partial
○ No

2.1. Staff members with disabilities in NALSA, State Legal Service Authorities, and District Legal Services Authority

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF STAFF MEMBERS WITH DISABILITIES IN NALSA, STATE LEGAL SERVICE AUTHORITIES, AND DISTRICT LEGAL SERVICES AUTHORITY

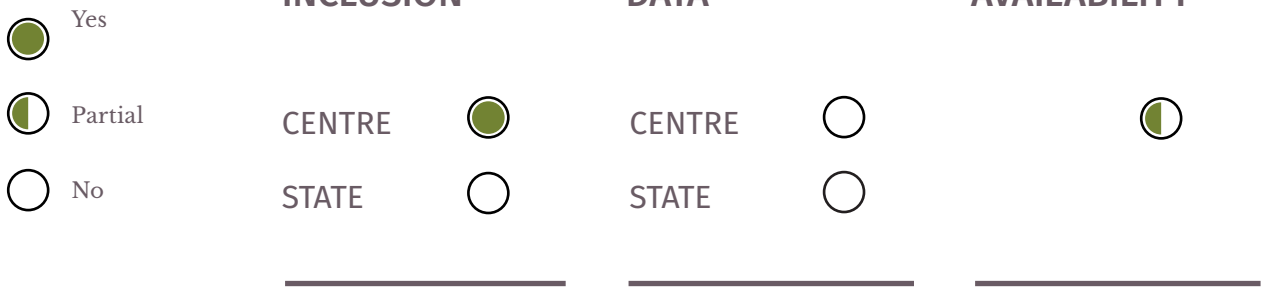


Figure 7.5: Inclusion mandate, data mandate and data availability status of staff members with disabilities in NALSA, State Legal Service Authorities, and District Legal Services Authority

THE DATA STORY

What we considered as a data point on persons with disabilities as legal aid staff?

For this data point, we included staff members employed at the offices of the National Legal Services Authority (NALSA), the State Legal Services Authorities (SLSAs), and the front offices of the District Legal Services Authorities (DLSAs).

Mandates on Staff Members with Disabilities in NALSA, Legal Service Authorities, and District Legal Services Authority

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Section 34, RPwD Act	This mandates 4% reservation for persons with disabilities to be recruited in NALSA, SLSA, and DLSA. (NALSA is established under the Legal Services Authority Act, 1987, and falls under the Department of Legal Affairs of the Ministry of Law and Justice. Therefore, it can be considered a government establishment).
	Section 34	Mandates that records of persons with disabilities, if any, must be maintained in the National Legal Services Authority (NALSA), State Legal Services Authorities (SLSAs), and District Legal Services Authorities (DLSAs).
	Rule 9 of the RPwD Rules	Government establishments to maintain records of persons with disabilities employed by them.
State	No Mandate	NA

Table 7.4: Mandates on persons with disabilities employed at the offices of the NALSA, any of the SLSAs or DLSAs

Is data available?

There is no publicly available data on the number of staff with disabilities working within NALSA, SLSAs, or DLSAs. Rule 9 of the RPwD Rules requires establishments to maintain internal records of employees who are persons with disabilities; however, there is no legal obligation to disclose this information in the public domain.



RTI Data: NALSA, SLSA and DLSA Staff with Disabilities

80% of the responses we received were valid. Of these responses, only about 12% of DLSAs referenced having staff members with disabilities. Apart from DLSA, Raichur (five staff members) and DLSA Guntur (three staff members), nine DLSA offices and the Karnataka Legal Services Authority office had only one person with disability staffed.

RTI responses are in Table 4B.1 at Annexure 4B.



KEY FINDINGS ON INCLUSION OF AND DATA ON LEGAL AID BENEFICIARIES WITH DISABILITY?

Despite there being a mandate for NALSA and SLSAs to include more persons with disabilities across their office, the data reveals how few staff members with disabilities are present across India's legal aid institutions—just a handful across entire states. In most districts, there's only one staff member with disability, and only one district, Raichur (Karnataka), reports as many as five. This stark underrepresentation isn't just a staffing issue, it reflects a missed opportunity for lived experience to shape inclusive justice

When people with disabilities aren't part of the system itself, it becomes even harder for the system to truly understand or serve their needs.

2.2. Persons with Disabilities who are Empanelled as PLVs and Panel Lawyers

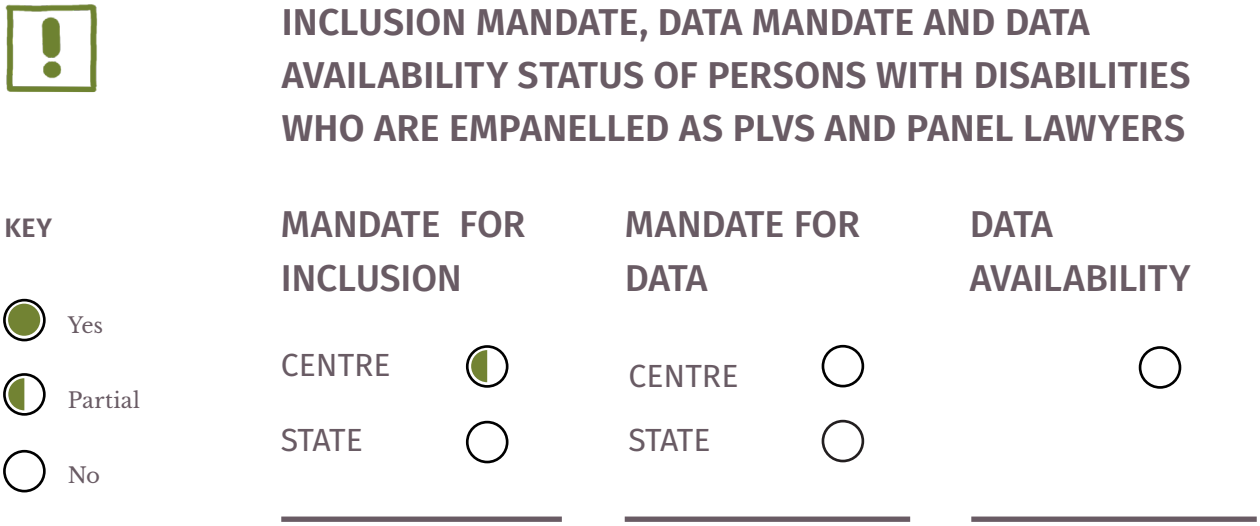


Figure 7.6: Inclusion mandate, data mandate and data availability status of persons with disabilities as PLVs and Panel Lawyers

THE DATA STORY

What we considered as a data point on persons with disabilities as para-legal volunteers and panel lawyers?

Panel Lawyer[422] (a legal practitioner empaneled as a Panel Lawyer under the NALSA Act) and Para-Legal Volunteer[423] (PLV) (a para-legal volunteer trained under the 'National Legal Services Authority Scheme for Para Legal Volunteers' and empaneled by a Legal Services Institution) who is a person with disabilities is considered for this data point.

[422]Section 2(ea) of the National Legal Services Authority (Free And Competent Legal Services) Regulations, 2010
[423]Section 2(f) of the National Legal Services Authority (Free And Competent Legal Services) Regulations, 2010

Mandates on Persons with Disabilities who are Empanelled as PLVs and Panel Lawyers

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	NALSA (Legal Services to Persons with Mental Illness and Persons with Intellectual Disabilities) Scheme, 2024	There is a mandate to create a specialised Legal Services Unit for Persons with Mental Illness & Persons with Intellectual Disabilities called 'Manonyay' (LSUM) in each district, to be headed by the Secretary, DLSA. This unit shall also consist of panel lawyers and para-legal volunteers in every district who possess requisite knowledge about the special needs of persons with mental illness and intellectual disabilities. However there is no mandate for persons with disabilities to be appointed as panel lawyers and para-legal volunteers. *Paneled lawyers and PLVs are not subject to the reservation mandates for persons with disabilities under Section 34 of the RPwD Act 2016. This is because these individuals are neither government employees nor engaged in permanent or regular employment.*
State	No Mandate	NA

Table 7.6: Mandates on persons with disabilities who are empanelled as PLVs and Panel Lawyers

Is data available?

No comprehensive data has been found across states on paneled lawyers and PLVs who are persons with disabilities.



RTI Data: Beneficiaries Accessing Legal Aid Schemes

83% of the responses to the question on how many persons with disabilities are empanelled lawyers or PLVs the institution has, we received were valid. 35% of the DLSAs that responded mentioned that they have persons with disabilities as para legal volunteers. This data paints a deeply uneven picture of disability inclusion within the legal aid workforce. Across dozens of districts, only a scattered few para-legal volunteers (PLVs) or panel advocates with disabilities are part of the system—often just one or two per district.

A standout is Kerala's DLSA Kollam, with 18 PLVs and six panel advocates, suggesting what's possible when inclusion is prioritised. But for most others, representation is minimal to nonexistent, with some entries not even reported.

RTI responses are in Table 4B.2 at Annexure 4B.



KEY FINDINGS ON INCLUSION OF AND DATA ON LEGAL AID BENEFICIARIES WITH DISABILITY

There is a mandate for inclusion of persons with disabilities as PLVs and empanelled lawyers. While there is no clear mandate to collect data in this regard, there is a need to induct more lawyers who are persons with disabilities into state/district legal aid committees. These numbers speak volumes—not just about who's missing from the system, but about the possibility of persons with disability being left out.

"I recently got inducted into it (Legal Aid Committee of the Delhi Legal Services Authority). There has been a push to have lawyers with disabilities as part of the committee. Three-four other disabled lawyers have also been inducted into the committee to ensure meaningful representation of persons with disabilities on the committee"

-Legal aid expert

RECOMMENDATIONS TO IMPROVE INCLUSION OF AND DATA AVAILABILITY ON PERSONS WITH DISABILITIES IN LEGAL AID COMMITTEES

CHALLENGE	RECOMMENDATION	STAKEHOLDERS
Lack of clarity on the mandates for hiring persons with disabilities: Within the legal services staff As panel lawyers or para-legal volunteers of legal services units .	Mandate explicit reservation of persons with disabilities in Legal Service Committees and give meaningful representation to gain visibility	1. NALSA
There is no data on PLVs and lawyers who have disabilities.	Where persons with disabilities are hired, data must be maintained by the NALSA or SLSA and released to relevant authorities per Rule 9 of the RPwD Act, 2016	1. NALSA 2. SLSA

Table 7.6: Recommendations to improve inclusion of and data availability on persons with disabilities in Legal Aid committees

INDICATOR 3 - Accessible infrastructure: Physical and Digital Accessibility and Inclusion of Persons with Disabilities at Legal Aid Front Offices

Summary of Findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
3.1. Accessible ramps, lifts and toilets in front offices and legal aid clinics	Centre ◉ State ○	Centre ○ State ○	○
3.2. Any other reasonable accommodation facilities provided for persons with disabilities	Centre ◉ State ○	Centre ○ State ○	○

Figure 7.7: Summary of findings on physical and digital accessibility and inclusion of persons with disabilities at Legal Aid front offices and Legal Aid clinics

AVAILABLE PUBLIC DATA: There is no publicly available data on the accessibility of legal aid front offices.

KEY
◉ Yes
◐ Partial
○ No

3.1. Accessible Ramps, Toilets and Lifts in Front Offices and Legal Aid Clinics



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS ON ACCESSIBLE RAMPS, TOILETS AND LIFTS IN FRONT OFFICES AND LEGAL AID CLINICS

KEY

Yes

Partial

No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	Partial
STATE	No	No	

Figure 7.8: Inclusion mandate, data mandate and data availability status on accessible ramps, toilets and lifts in front offices and legal aid clinics



THE DATA STORY

What we considered as a data point on accessible infrastructure for persons with disabilities in legal aid?

Front Office means a room in the Legal Services Institution where legal services are made available,[424] which may need varying numbers of ramps and lifts depending on the building structure, number of floors etc.

A legal services clinic[425] is a facility established by the District Legal Services Authority to provide basic legal services to individuals with the assistance of para-legal volunteers or lawyers, serving as the initial point of contact for help and advice. It may need varying numbers of ramps and lifts depending on the building structure, number of floors etc.

Front offices and legal aid clinics have varying numbers of disability-friendly toilets depending on the population they serve. Any data availability on the presence of disability-friendly toilets is considered.

[424]Section 2(c) of the National Legal Services Authority (Free And Competent Legal Services) Regulations, 2010
[425]Section 2(c) of the National Legal Services Authority (Legal Services Clinics) Regulations, 2011

Mandates on Accessible Infrastructure in Front Offices and Legal Aid Clinics

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	All states and union territories are mandated to construct ramps under Section 45 of the RPwD Act read with Rule 15 of RPwD Rules requires establishments to adhere to the Harmonised Guidelines and Space Standards for Barrier-Free Built Environment for Persons with Disabilities and Elderly Persons ("Harmonised Guidelines"). Among other provisions, the Harmonised Guidelines include requirements for ramps, lifts, and disability-friendly toilets. It is to be noted that Legal Services Front Offices are usually attached to court premises. However, legal clinics are spread across the districts.	The central-level mandate under the RPwD Act applies to all states and union territories.
State	No Mandate	NA

Table 7.7: Mandates on accessible infrastructure in front offices and Legal Aid clinics

Is data available?

No comprehensive data is available regarding the accessibility of front offices and legal aid clinics .



RTI Data: Beneficiaries Accessing Legal Aid Schemes

95/114 responded to the question.

We received 91% valid responses to this question. Between the SLSAs, DLSAs and NALSA, 62% of the establishments that responded claim that they have either all or one of the accessible infrastructure (ramps, lifts, toilets accessible to persons with disabilities). It was also acknowledged that some front offices have disability-friendly toilets. Additionally, the RTIs acknowledged that this information is not available on the websites.

RTI responses are in Response 4 at Annexure 4B.2.



KEY FINDINGS REGARDING ACCESSIBLE INFRASTRUCTURE IN FRONT OFFICES OF LEGAL AID CLINICS

There is a clear mandate to ensure accessibility of front offices of legal aid clinics. It becomes counterproductive if offices meant to serve persons with disability cannot be accessed by them because of infrastructural issues. Furthermore, the lackadaisical approach in building this infrastructure and its recording is even more telling.

One or all is quite indicative - if there are accessible toilets in the building but no ramp, then there is no net accessibility. Accessibility can only be achieved if it addresses all the concerns of persons with disabilities, and not proforma revisions.

There is no comprehensive or centralised data on the accessibility of legal aid front offices and clinics. Only 62% of the institutions reported having some form of accessible infrastructure, such as ramps, lifts, or accessible toilets. Accessibility remains inconsistent across establishments, and importantly, this information is not publicly available on official websites, reflecting a lack of transparency and systemic tracking.

3.2. Any Other Reasonable Accommodation Facilities Provided for Persons with Disabilities Accessing the Legal Aid Services

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS OF OTHER REASONABLE ACCOMMODATION FACILITIES PROVIDED FOR PERSONS WITH DISABILITIES IN ACCESSING THE LEGAL AID SERVICES



Figure 7.9: Inclusion mandate, data mandate and data availability status of other reasonable accommodations provided for persons with disabilities in the front office and Legal Aid clinics

THE DATA STORY

What we considered as a data point on accessible infrastructure for persons with disabilities in legal aid?

To ensure equitable access and inclusion for persons with disabilities within the legal aid system, interpreters, translators, and support staff who facilitate interaction through alternate means of communication, assist with mobility, or aid in carrying out other activities of daily living for persons with disabilities were considered.

Mandates on Other Reasonable Accommodation facilities Provided for Persons with Disabilities Accessing the Legal Aid Services

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	There is a national-level mandate to provide reasonable accommodations for persons with disabilities in front offices. Reasonable accommodation has been recommended for persons with mental illness and mental disability[426]. RPwD Act 2016 mandates NALSA and SLSA to make reasonable accommodations for persons with disabilities to have access to any scheme, programme, facility or service offered by them[427]. It is to be noted that Legal Services Front Offices are usually attached to court premises. However, legal clinics are spread across the districts.	The central-level mandate under the RPwD Act applies to all states and union territories.
State	No Mandate	NA

Table 7.8: Mandates on other reasonable accommodation facilities provided for persons with disabilities accessing the legal aid services

[426]https://drive.google.com/file/d/1vaxB9uC5z2jYM0az4z5AgMFG0HPXNOqs/view
[427]Section 12(3) of the RPwD 2016

The Supreme Accessibility Committee Report[428] has suggested several reasonable accommodations, like the appointment of sign language interpreters, staff training, proper signage etc., in the office of the Supreme Court.

Is data available?

No comprehensive data has been found.



RTI Data: Beneficiaries Accessing Legal Aid Schemes

We received 76% valid responses to this question. Only 11% of the institutions responding mention the availability of support staff such as interpreters, translators, etc. for persons with disabilities.

One standout is DLSA, Raichur which has about seven support staff for persons with disabilities.

RTI responses are in Table 4B.5 at Annexure 4B.



KEY FINDINGS ON INCLUSION OF AND DATA ON LEGAL AID BENEFICIARIES WITH DISABILITY

There is a national-level mandate to provide reasonable accommodations for persons with disabilities. It is clear that the mandate has not been met because most institutions do not appear to have required support staff, and even when they do, there is no distinction between translators, interpreters, etc. each of whom serve different people.

[428] https://main.sci.gov.in/pdf/LU/06112023_140650.pdf

These numbers reveal more than infrastructural issues—they reflect the quiet struggle of individuals with disabilities navigating a system never designed with them in mind. The fact that answers are interchangeably reflecting toilets, ramps and other infrastructure shows that there is not enough understanding of the needs of persons with disabilities.

RECOMMENDATIONS TOWARDS IMPROVING INFRASTRUCTURE AND ACCESSIBILITY FOR PERSONS WITH DISABILITIES SEEKING LEGAL AID

CHALLENGE	RECOMMENDATION	STAKEHOLDERS
Lack of data on accessible infrastructure in front offices and legal aid clinics	Record and publish data on accessible infrastructure in front offices and legal aid clinics	1. NALSA 2. SLSA

Table 7.9: Recommendations to improve infrastructure and accessibility for persons with disabilities seeking Legal Aid

INDICATOR 4 - System response: Disability Awareness and Disability Responsiveness of the Legal Aid System

Summary of Findings:

SUB-INDICATOR	MANDATES FOR INCLUSION	MANDATES FOR DATA	DATA AVAILABILITY
4.1. Annual training/ sensitisation/awareness programmes for legal aid offices or clinics	Centre ◉ State ○	Centre ○ State ○	○
4.2. Annual training programmes for lawyers and PLVs regarding persons with disabilities	Centre ◉ State ○	Centre ○ State ○	○

Figure 7.10: Summary of findings on disability awareness and disability responsiveness of the judicial system

AVAILABLE PUBLIC DATA: There is no publicly available data on the number of sensitisation programs conducted from a disability rights/ disability needs perspective.

KEY
◉ Yes
◐ Partial
○ No

4.1. Annual Training/ Sensitisation /Awareness Programmes for Persons with Disabilities

INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS ON NUMBER OF ANNUAL TRAINING, SENSITISATION OR AWARENESS PROGRAMMES FOR PERSONS WITH DISABILITIES

KEY

- Yes
- Partial
- No

	MANDATE FOR INCLUSION	MANDATE FOR DATA	DATA AVAILABILITY
CENTRE	Yes	No	No
STATE	No	No	

Figure 7.11: Inclusion mandate, data mandate and data availability status on number of annual training, sensitisation or awareness programmes for persons with disabilities

THE DATA STORY

What we considered as a data point on system responses by the legal aid with respect to sensitisation and awareness programmes.?

Sensitisation and awareness programmes were considered for persons with disabilities to spread awareness about their eligibility for the scheme and knowledge about access to the scheme.

Mandates on Number of Annual Training, Sensitisation or Awareness Programmes for Persons with Disabilities

MANDATE LEVEL	MANDATE	DESCRIPTION
Central	Under Section 10(6) of the National Legal Services Authority (Legal Services Clinics) Regulations, 2011, the PLVs are mandated to conduct awareness camps for the beneficiaries under the Legal Services Authorities Act, 1987. Further, the NALSA (Legal Services to the Mentally Ill and Mentally Disabled Persons) Scheme, 2015[429], which is specifically to provide legal aid services to persons with mental illness and mental disabilities, and the Legal Services for Differently Abled Child Scheme 2021[430] contains provisions for spreading awareness about the schemes to the beneficiaries.	The National Legal Services Authority (Legal Services Clinics) Regulations, 2011 is a central-level mandate
State	No Mandate	NA

Table 7.10: Mandates on number of annual training, sensitisation or awareness programmes for persons with disabilities

[429]https://nalsa.gov.in/acts-rules/preventive-strategic-legal-services-schemes/nalsa-legal-services-to-the-mentally-ill-and-mentally-disabled-persons-scheme-2015
[430]https://nalsa.gov.in/acts-rules/preventive-strategic-legal-services-schemes/legal-services-for-differently-abled-children-scheme-2021

Is data available?

NALSA does not maintain consolidated state-wise data on awareness and outreach programs conducted by state legal services authorities for persons with disabilities.

Chhattisgarh in its monthly activity report publishes data on the number of beneficiaries with disabilities of its outreach programmes.[431]

The Bihar Legal Services Authority publishes data on the beneficiaries of legal awareness programmes under the NALSA (Legal Services to the Mentally Illness and Mentally Disabled Persons) Scheme, 2015.[432]

The Himachal Pradesh High Court annual reports since 2015 have also been consistently reporting data on outreach programmes and beneficiaries under the Scheme.[433]

RTI Data: Sensitisation and awareness programs

89% of the responses to this question were valid. 83% of the institutions that responded conducted sensitisation or awareness programs.

A few districts—like Tumkur in Karnataka (62 programmes) or Guntur in Andhra Pradesh (35 programmes)—are making commendable efforts. In Jharkhand, Godda and Khunti run sessions monthly, showing that regular engagement is possible. But for the vast majority, the story is different: sporadic, minimal, or completely unreported activity.

Many entries mention just one or two programmes over years, while others simply state "frequency not mentioned", a silence that likely reflects reality. Even where numbers are provided, there's often no clarity on whether disability specific topics were addressed. RTI data is available in Table 4B.6 at Annexure 4B.

[431] https://cgslsa.gov.in/Statistical_Information/CGSLSA%20May-2024%20MONTHLY%20ACTIVITY%20REPORT.pdf
[432] https://patnahighcourt.gov.in/bslsa/PDF/Annual%20Report%20BSLSA.pdf
[433] https://highcourt.hp.gov.in/pdf/AnnualReport23092024.pdf

KEY FINDINGS ON CONDUCTING SENSITISATION AND AWARENESS PROGRAMS

Sensitisation and awareness programmes appear to be conducted across the country and is a positive outlook on system response to persons with disabilities. However, the obvious question then is - what is the net positive effect of these programmes, and do they actually make a difference.
The data reveals significant inconsistencies in how sensitisation and outreach for disability inclusion are handled across India's legal aid system. While states like Chhattisgarh, Bihar, and Himachal Pradesh regularly report disability-related outreach activities, and some districts (e.g., Tumkur, Guntur, Godda, Khunti) show commendable efforts, the majority demonstrate minimal, irregular, or entirely unreported engagement.

RTI responses confirm this unevenness—though 83% of responding institutions claim to conduct awareness programmes, many provide vague or infrequent details, and few clarify if disability-specific topics are covered. This reflects a broader lack of accountability, structure, and prioritisation of disability inclusion in legal aid outreach, since other aspects still remain lacking despite sensitisation.

4.2. Annual Training Programmes for Lawyers and PLVs Regarding Persons with Disabilities



INCLUSION MANDATE, DATA MANDATE AND DATA AVAILABILITY STATUS ON NUMBER OF ANNUAL TRAINING PROGRAMMES FOR LAWYERS, PLVS AND STAFF REGARDING PERSONS WITH DISABILITIES

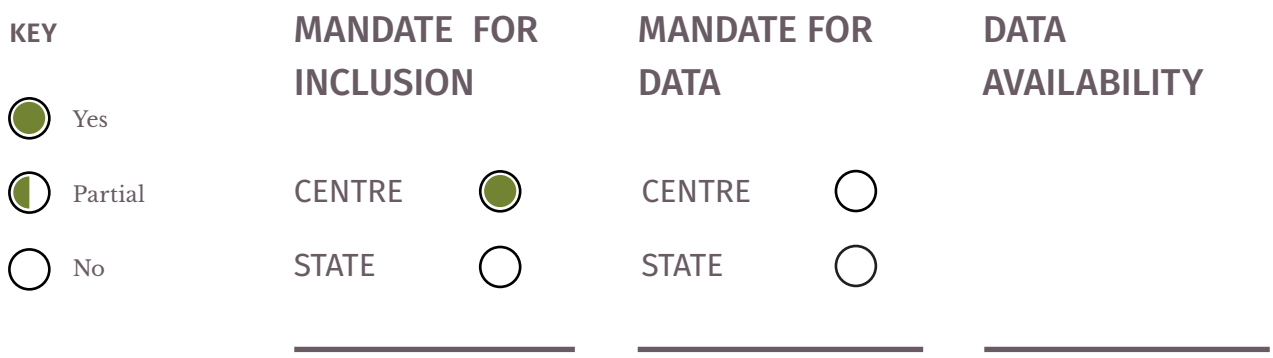


Figure 7.12: Inclusion mandate, data mandate and data availability status on number of annual training programmes for lawyers, PLVs and staff regarding persons with disabilities



THE DATA STORY

What we considered as a data point on system responses by the legal aid for training programmes?

Training programmes for PLVs, paneled lawyers, and staff regarding persons with disabilities were considered crucial for fair and sensitive treatment of those with disabilities and understanding their needs.

Mandates on Annual Training programmes for Lawyers, PLVs and Staff Regarding Persons with Disabilities

MANDATE LEVEL	MANDATE	EXPLANATION
Centre	There are general mandates for lawyers and PLVs to be trained under the National Legal Services Authority (Free and Competent Legal Services) Regulations, 2010, and the National Legal Services Authority (Legal Services Clinic) Regulations, 2011, but no specific mandate to be trained for the needs of persons with disabilities	NA
State	No Mandate	NA

Table 7.11: Mandates on annual training programmes for lawyers, PLVs and staff regarding persons with disabilities

In 2023, the Supreme Court Accessibility Report[434] emphasised the need for staff training to understand the specific needs of persons with disabilities. It was suggested that regular training be conducted to understand the needs of persons with disabilities and how best to assist them[435]

[434]A Court: for All: Paving the Way for Greater Accessibility in the Supreme Court for Persons with Disabilities Women and Senior Citizens, a report by Supreme Court Accessibility Committee https://main.sci.gov.in/pdf/LU/06112023_140650.pdf

[435]ibid

Is data available?

There is also no specific data pertaining to the training of PLVs or lawyers for persons with disabilities.

KEY FINDINGS ON TRAINING SCHEMES FOR LAWYERS AND PLVS

While there are no general mandates for training programmes, India's legal aid system suffers from an absence of both understanding and representation for persons with disabilities. While a few districts conduct regular sensitisation programmes, most do little to none, and almost none focus specifically on disability. At the same time, advocates and para-legal volunteers with disabilities are virtually missing from the system, their numbers limited to one or two in scattered districts, if they're present at all. This lack of training and lived experience within legal institutions means that people with disabilities continue to face a justice system that doesn't fully see, hear, or serve them.

RECOMMENDATIONS FOR DISABILITY INCLUSIVE SYSTEM RESPONSES FOR PERSONS WITH DISABILITIES IN THE LEGAL AID SYSTEM COMMITTEES

CHALLENGES	RECOMMENDATIONS	STAKEHOLDERS
1. There is a lack of tailored awareness programs and training specific to the needs of persons with disabilities, as well as a lack of available data.	Design and implement awareness programs and training sessions specifically addressing the unique needs of persons with disabilities. These programs should be inclusive and sensitive to various types of disabilities to ensure effective communication and understanding.	1. NALSA 2. SLSA
2. No clarity on reasonable accommodations being provided and tracked by the legal services authorities	Establish a comprehensive data collection framework that captures detailed information on persons with disabilities, including the type of disability, special accommodations required, and participation in awareness programs. This data should be regularly updated and made publicly accessible to inform policy and program development. Conduct regular audits and assessments of awareness programs, training sessions, and accommodation provisions to ensure they meet evolving needs of persons with disabilities	

Table 7.12: Recommendations for disability inclusive system responses for persons with disabilities in the Legal Aid system

7.4 Key Takeaways and General Recommendations for the Legal Aid System in India

	CHALLENGES	RECOMMENDATIONS
At the Inclusion Mandate Level	**Existing legal mandates for legal aid inclusion are fragmented and inconsistently implemented:** Despite Article 39A, the Legal Services Authorities Act (1987), and the RPwD Act (2016), mandates often lack state-level adoption or operational clarity.	Strengthen enforcement of central legal mandates at the state and district levels. Mandate alignment of SLSAs and DLSAs with national standards under the RPwD Act, 2016. Periodically review and update guidelines to reflect current accessibility and inclusion standards.
	Lack of mandated disability inclusion for panel lawyers and PLVs and no mandated training: No formal requirement exists for inclusion of persons with disabilities in paralegal or panel lawyer roles.	Amend existing legal aid frameworks to explicitly include representation of persons with disabilities within legal aid institutions. Encourage appointment of professionals with disabilities through affirmative action and targeted recruitment. Introduce annual mandatory disability inclusion training for all legal aid staff, including PLVs and panel lawyers. Embed disability rights content into national training modules. Monitor through regular audits.
	Absence of reasonable accommodation provisions in many legal aid clinics and front offices: Most institutions are unaware of their obligation under RPwD Act to provide accommodations.	NALSA must release comprehensive infrastructure and service guidelines aligned with the Harmonised Guidelines for barrier-free environments. Compliance must be made a criterion in institutional evaluations.

	CHALLENGE	RECOMMENDATION
At the Data Level	**Absence of disaggregated and meaningful data on persons with disabilities within legal aid system:** Current data does not include disability types, accommodations provided, or service pathways.	Establish a standardised national framework for disability-disaggregated data collection across NALSA, SLSAs and DLSAs. Use this to track types of disabilities, services accessed, accommodations required, and outcomes. Publish annual disability reports.
	Underrepresentation of persons with disabilities in legal aid staff and roles: Only a handful of individuals with disabilities are recorded across PLV, panel lawyer and DLSA staffing.	Track and report representation by role and region. Introduce mentorship programs to support inclusion.
	Poor accessibility of legal aid clinics and infrastructure: Many front offices lack ramps, signage, and assistive technologies.	Enforce infrastructure audits in all legal aid institutions. Mandate retrofitting of existing facilities and integrate accessibility in new constructions. Fund accessible renovations under central schemes.
	Lack of support personnel such as sign language interpreters or mobility assistants: Only about 6% of responding institutions had such provisions.	Create a directory of trained support personnel for each district legal services authority. Facilitate deployment based on needs of incoming clients. Establish partnerships with disability organisations for staffing support.

Table 7.13: Key takeaways and general recommendations for the Legal Aid system in India

8. CONCLUSION

Representation and participation of persons with disabilities in police, judiciary, prisons, and legal aid remains minimal and severe data gaps persist. But, India is solidifying its commitment towards disability inclusion. Initiatives to make the justice system more accessible for persons with disabilities like Visakhapatnam's Disha-Divyang Suraksha, government advisories on special provisions for prisoners with disabilities,[436] accessibility committees in High Courts and targeted legal aid schemes for persons with disabilities[437] provide strong regulatory and policy levers. The forthcoming revised RPwD Rules formulated in response to the Rajive Raturi v. Union of India[438] judgement is expected to herald a new era towards making public places including justice infrastructure accessible for persons with disability. This gives us hope and optimism.

A critical barrier identified in the realisation of legal mandates is the lack of reliable, comprehensive, and disaggregated data on persons with disabilities within the justice system. The absence of mandated data collection and reporting, inconsistent and non-standardised datasets, and the unavailability of public data severely limit the ability to monitor, evaluate, and improve justice delivery for this marginalised group.

A relentless focus on disability inclusion through awareness, enforcement of reservation policies, infrastructure accessibility, and comprehensive data collection are needed to realize full inclusion of persons with disabilities in the justice system.
This research has also enabled the creation of data collection checklists that can guide disability data collection initiatives by each of the justice institutions - police, prisons, judiciary and legal aid. We hope that these checklists are adopted and integrated into the administrations of all of India's justice institutions.

We also hope that these research insights offer a reliable baseline of data and status to map and measure progress towards an inclusive justice system.

Jai Hind!

[436] Ministry of Home Affairs, Government of India. (2025, May 2). Addressing the special needs of Persons with Disabilities (PWD) prisoners implementation of 'Accessibility Standards' in Prison Infrastructure and amendment in the Model Prisons and Correctional Services Act, 2023 [Advisory No. V-17013/18/2025-PR].https://xn--i1b5bzbybhfo5c8b4bxh.xn--11b7cb3a6a.xn--h2brj9c/sites/default/files/Advisory_05052025.pdf
[437] PIB. (2022, April 8). Pro Bono Legal Services. Press Information Bureau. https://www.pib.gov.in/PressReleaseIframePage.aspx?PRID=1814545
[438] Rajive Raturi v. Union of India 2024 INSC 858.



Annexures

ANNEXURE 1A: RTI QUESTIONS

1. Are there PwDs as police staff members of the state police force in compliance with Section 34, Rights of Persons with Disabilities Act? If yes, please provide information on the number of PwD police staff in the state.
2. Do you have ramps within police stations in the state? If yes, please provide the number of police stations with ramps in the state.
3. Do you have accessible toilets for persons with disabilities in the police stations in the state? If yes, please provide the number of accessible toilets in police stations in the state.
4. Do you provide any kind of special accommodation facilities to persons with disabilities in the police stations? If yes, please provide details on the nature of special facilities provided to persons with disabilities.
5. Does the state have an e-police website? Does the website standards adhere to the accessibility standards provided in the Guidelines for Indian Government Websites?
6. Do the police stations in the state have vehicles with accessible features to cater to persons with disability? If yes, provide information on the number and features of such vehicles in the state police stations.
7. Does the state maintain data on the number of persons with disabilities who have accessed police stations? If yes, please provide data for the same.
8. Does the state collect data on crimes registered against persons with disabilities? If yes, provide the number of crimes registered against persons with disabilities in the state.

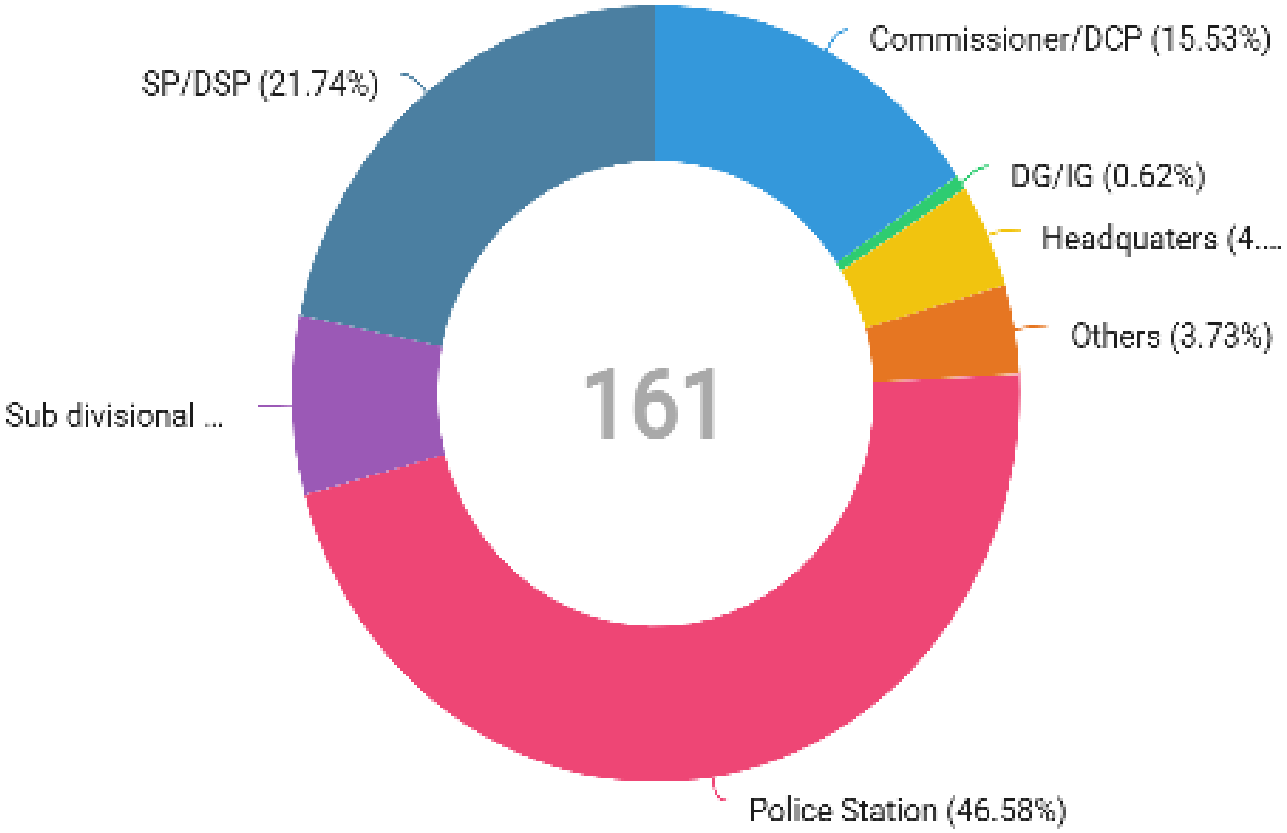
ANNEXURE 1B: RTI RESPONSES

Total number of respondents: 161 state-wise distribution as per the table below:

State/UT	No of Institutions
Andaman & Nicobar Island	5
Andhra Pradesh	1
Arunachal Pradesh	17
Assam	7
Chandigarh	10
Daman & Diu	3
Delhi	30
Goa	16
Gujarat	1
Jammu & Kashmir	6
Jharkhand	1
Karnataka	1
Ladakh	1
Madhya Pradesh	2
Meghalaya	10
Mizoram	1
Tamil Nadu	1
Telangana	48

RTI Table 1B.1: Total number of respondents

Distribution of Responses Based on Type of Institution



RTI Figure 1B.1: Distribution of Responses based on Type of Institution

Other institutions include Coastal Security Police, State Police Control Room, DPO Samba, Kingsway Camp Delhi, Vigilance Unit, New Delhi, Cyber Crime & IT Department

Police Officers with Disabilities

Institution	Institution category	Individuals with disabilities
DCP SPECIAL Branch Office, Delhi	Commissioner/DCP	3 persons with disabilities working as police personnel
Office of the Dy. Superintendent of Police HQ, Kishtwar	SP/DSP	3 officials with disabilities are posted in the district
Kingsway Camp, Delhi	Others	Five police personnel are PwDs
Police Station, LB Nagar	PS	Yes, numbers not mentioned

RTI Table 1B.2: Police officers with disabilities

Availability of Ramps in Police Station

State	Institution	Institution category	Number of Ramps
Goa	Coastal Security Police	Others	Not provided
Goa	Office of the Sub-divisional Police Officer, Quepem	SD	1
Goa	Sub-divisional Police officer, Mapusa	SD	Not provided
Daman & Diu	PS	PS	2
Daman & Diu	Police Headquarter, Silvassa	HQ	2

State	Institution	Institution category	Number of Ramps
Daman & Diu	Police Station, Kadaiya	PS	3
Delhi	Office of the Deputy Commissioner of Police, Special Police Unit for Women & Children	Commissioner/ DCP	1
Delhi	DCP Office, Crime, New Delhi	Commissioner/ DCP	Not provided
Delhi	DCP Office, IGI Airport, New Delhi	Commissioner/ DCP	Not provided
Delhi	DCP SPECIAL Branch Office, Delhi	Commissioner/ DCP	Not provided
Delhi	DCP Railways office, Delh	Commissioner/ DCP	8
Delhi	DCP Metro, Delhi	Commissioner/ DCP	9
Delhi	DCP, Outer District Pushpanjali	Commissioner/ DCP	1
Delhi	DCP Office, Malviya Nagar	Commissioner/ DCP	7
Delhi	Central District, Daryagan	PS	One in every police station
Arunachal Pradesh	Office of Superintendent of Police	SP/DSP	1
Arunachal Pradesh	Police Station, West Siang	PS	2

State	Institution	Institution category	Number of Ramps
Jammu & Kashmir	Office of the Dy. Superintendent of Police HQ, Shopian	SP/DSP	1
Jammu & Kashmir	Office of the Sub-divisional Police Officer, Awantipora	SD	1
Delhi	Add. Dy. Commissioner of Police-I, East District, Delhi	Commissioner/ DCP	1 ramp in PS Madhu Vihar, 1 ramp in PS Pandav Nagar, 1 Ramp in New Ashok Nagar, 1 ramp in PS Preet Vihar and 1 ramp in PS Cyber in East District
Delhi	Add. Dy. Commissioner of Police, New Delhi District, P.S. Parliament Street	Commissioner/ DCP	7
Delhi	Sector 19, Dwaraka District	PS	4
Delhi	DCP Office, Shahdara	Commissioner/ DCP	Not provided
Delhi	DCP Office, Ashok Vihar	Commissioner/ DCP	2
Delhi	DCP Office, Sector 5 Rohini	Commissioner/ DCP	1
Delhi	Police Station, Mandir Marg Complex	PS	1
Delhi	South District	PS	Not provided

State	Institution	Institution category	Number of Ramps
Delhi	Outer North District	PS	Ramp facility is available in 5 out of 8 police stations in the district
Delhi	North East District, Seelampur	PS	Not provided
Meghalaya	Office of the Superintendent of Police, Eastern West Khasi Hills District Mairang	SP/DSP	1
Meghalaya	Office of the Superintendent of Police, East Khasi Hills District Mairang	SP/DSP	6
Meghalaya	Office of the Superintendent of Police, South West Garo Hills District, Ampati	SP/DSP	2
A & N Islands	Superintendent of Police (Special Cell)	SP/DSP	CID comprises 4 police stations: Crime & Economic Offence PS, Anti Narcotic Police Stations, Cyber Crime Police Station & Anti Human Traffic Unit and Crime against Women Cell PS. Crime & Economic offence PS is accessible to PwD

State	Institution	Institution category	Number of Ramps
Assam	Dibrugarh Police	PS	Yes, Number not mentioned
Assam	Office of the Superintendent of Police	SP/DSP	2
Assam	Police Station, Bongaigaon	PS	4
Assam	Golaghat Police	PS	7 Police stations have ramps in Golaghat district
Assam	SP, Sivasagar	SP/DSP	5
Chandigarh	CPIO, Sub Division East, Chandigarh	SD	Not provided
Chandigarh	Sub-Divisional Police Officer, Sub Division South West	SD	Not provided
Chandigarh	DSP Office, Crime, Chandigarh	SP/DSP	Not provided
Chandigarh	South Sub Division	SD	2 police stations in south sub division have ramps
Chandigarh	DSP Office, Sub Division North East	SP/DSP	1
Chandigarh	Central Sub Division Central, Chandigarh	SD	4 police stations with ramps
Chandigarh	Cyber Crime & IT, Sector 17	Others	1

State	Institution	Institution category	Number of Ramps
Telangana	Kazipet Division	PS	7 Police Stations: Dharmasagar PS, Hasanparthy PS, Elkathurthy PS, Vangara PS, Mulkanoor PS, Kamalapur PS, Velair PS of Kazipet division
Telangana	Tamari Division	PS	7
Telangana	Station House office Yacharam PS, RCK	PS	1
Telangana	Office of the Assistant Commissioner of Police, Peddapalli	Office of the Assistant Commissioner of Police, Peddapalli	Not provided
Telangana	Police Station, Saroornagar	PS	1
Telangana	Superintendent of Police, Jagtial	SP/DSP	3 police stations
Telangana	Office of Additional Deputy Commissioner of Police, Rajendranagar	Commissioner/ DCP	3 police stations
Telangana	Central Zone, Warangal	PS	12 police stations
Madhya Pradesh	Shahdol Police Station	PS	Not provided
Telangana	Police Station, Jagadgirigutta	PS	1

State	Institution	Institution category	Number of Ramps
Telangana	Office of Asst. Commissioner of Police, Shamshabad	Commissioner/ DCP	4 ramps
Telangana	Asst. Commissioner of Police, Bodhan	Commissioner/ DCP	7
Telangana	Assistant Commissioner of Police Office, Warangal	Commissioner/ DCP	3
Andaman & Nicobar	Police Station, Andaman District	PS	7 police stations
Andaman & Nicobar	SP Office, South Andaman	SP/DSP	9 police stations
Andaman & Nicobar	SP Office, Nicobar DIstrict	SP/DSP	5 police stations
Chandigarh	Cyber Crime & IT, Sector 17	Others	1

RTI Table 1B.3: Availability of ramps in police stations

Availability of Accessible Toilets in Police Stations

State	Institution	Institution category	Accessible toilets and number (if provided)
Goa	Coastal Security Police	Others	Yes
Daman & Diu	Police Headquarter, Silvassa	HQ	Yes, 2
Daman & Diu	Police Station, Kadaiya	PS	Yes, 3
Delhi	Office of the Deputy Commissioner of Police, Special Police Unit for Women & Children	Commissioner/ DCP	Yes
Delhi	DCP Office, IGI Airport, New Delhi	Commissioner/ DCP	Yes, 3
Delhi	DCP Railways Office, Delhi	Commissioner/ DCP	Yes, 7 police stations in railway unit and 1 police station have accessible toilets for persons with disabilities
Delhi	DCP Metro, Delhi	Commissioner/ DCP	Yes, total 5 police stations have accessible toilets
Delhi	DCP, Outer District, Pushpanjali	Commissioner/ DCP	Yes, total 5 police stations have accessible toilets
Delhi	DCP Office, Malviya Nagar	Commissioner/ DCP	Yes, 2 accessible toilets

State	Institution	Institution category	Accessible toilets and number (if provided)
Delhi	Central District, Daryaganj	PS	Yes
Delhi	Add. Dy. Commissioner of Police-I, East District, Delhi	Commissioner/ DCP	Yes, 1 toilet in PS Madhu Vihar, 1 toilet in PS Mandawali, 1 toilet in PS New Ashok Nagar & 1 toilet in PS Cyber in East District
Delhi	Sector 19, Dwaraka District	PS	Yes
Delhi	DCP Office, Shahdara	Commissioner/ DCP	Yes
Delhi	DCP Office, Ashok Vihar	Commissioner/ DCP	Yes
Delhi	DCP Office, Sector 5 Rohini	Commissioner/ DCP	Yes
Delhi	South District	PS	Yes
Delhi	Outer North District	PS	Yes
Delhi	Vigilance Unit, New Delhi	Others	Yes
Delhi	North East District, Seelampur	PS	Yes
Delhi	Special Cell	SP/DSP	Yes
Meghalaya	Office of the Superintendent of Police, East Khasi Hills District Mairang	SP/DSP	Yes

State	Institution	Institution category	Accessible toilets and number (if provided)
A & N Islands	Superintendent of Police (Special Cell)	SP/DSP	Yes
Assam	Dibrugarh Police	PS	Yes
Chandigarh	Sub-Divisional Police Officer, Sub Division South West	SD	Yes
Chandigarh	South Sub Division	SD	Yes, 3
Chandigarh	DSP Office, Sub Division North East	SP/DSP	Yes
Chandigarh	Central Sub Division, Chandigarh	SD	Yes, 3
Chandigarh	Cyber Crime & IT, Sector 17	Others	Yes
Telangana	Kazipet Division	PS	Toilets available 1. Dharmasagar PS 2. Hasanparthy PS 3. Elkathurthy PS 4.Vangara PS 5. Mulkanoor PS 6. Kamalapur PS 7. Velair PS of Kazipet Division
Telangana	Tamari division	PS	Yes
Telangana	Station House Office Yacharam PS, RCK	PS	Yes
Telangana	Office of the Assistant Commissioner of Police, Peddapalli	Commissioner/ DCP	Yes

State	Institution	Institution category	Accessible toilets and number (if provided)
Telangana	Police Station, Saroornagar	PS	Yes
Telangana	Police Station, Balapur	PS	Yes
Telangana	Office of Additional Deputy Commissioner of Police, Rajendranagar	Commissioner/ DCP	Yes
Telangana	Office of the Asstt. Commissioner of Police, Cyberabad	Commissioner/ DCP	Yes
Telangana	Central Zone, Warangal	PS	Yes
Telangana	Hyderabad Green Pharma City Police Station, Rachakonda	PS	Yes
Telangana	Police Station, Rachakonda	PS	Yes
Telangana	Police Station, Jagadgirigutta	PS	Yes
Telangana	Police Station, Madgul	PS	Yes
Telangana	Police Station, Raidurgam	PS	Yes
Telangana	Police Station, LB Nagar	SD	Yes
Meghalaya	Sub-Divisional Police Officer, Vemulawada	SD	Yes

State	Institution	Institution category	Accessible toilets and number (if provided)
Telangana	Police Station, Ibrahimpatnam	PS	Yes
Telangana	Office of Asst. Commissioner of Police, Shamshabad	Commissioner/ DCP	Yes
Telangana	Police Station, Manchal	PS	Yes
Telangana	Asst. Commissioner of Police, Bodhan	Commissioner/ DCP	Yes
Telangana	Assistant Commissioner of Police office, Warangal	Commissioner/ DCP	Yes
Telangana	SP Office, South Andaman	SP/DSP	Yes
Telangana	SP office, Nicobar DIstrict	SP/DSP	Yes
Telangana	DSP Office, Headquarters, Leh	SP/DSP	Yes

RTI Table 1B.4: Availability of accesible toilets in Police station

Provisions for Special Accommodation Facilities for Persons with Disabilities in Police Stations

State	Institution	Institution category	Special Accommodation)
Goa	Sub-Divisional Police Officer, Mapusa	SD	Yes
Daman & Diu	PS	PS	Yes
Daman & Diu	Police Headquarters, Silvassa	HQ	Yes
Daman & Diu	Police Station, Kadaiya	PS	Yes
Delhi	DCP Office, Malviya Nagar	Commissioner/ DCP	Yes
Delhi	Central District, Daryaganj	PS	Yes
Delhi	Sector 19, Dwaraka District	PS	Yes
Assam	Dibrugarh Police	PS	Yes
Chandigarh	Sub-Divisional Police Officer, Sub Division South West	SD	Yes
Chandigarh	DSP Office, Sub Division North East	SP/DSP	Yes
Chandigarh	Cyber Crime & IT, Sector 17	Others	Yes
Telangana	Mahankali Division, Hyderabad	PS	Yes
Madhya Pradesh	Shahdol Police Station	PS	Yes

State	Institution	Institution category	Special Accommodation)
Telangana	Police Station, Kachiguda	PS	Yes
Telangana	Police Station, LB Nagar	PS	Yes

RTI Table 1B.5: Provisions for special accommodation facilities for persons with disabilities in Police stations

E-police Website Complaint with the Accessibility Standards Provided in the Guidelines for Indian Government Websites

State	Institution	Institution category
Goa	DSP, Economic Offences Cell Police Office, Panjim	SD
Daman & Diu	PS	PS
Daman & Diu	Police Headquarters, Silvassa	HQ
Daman & Diu	Police Station, Kadaiya	PS
Delhi	DCP Office, Crime, New Delhi	Commissioner/DCP
Delhi	Central District, Daryaganj	PS
Delhi	DCP Office, Shahdara	Commissioner/DCP
Assam	Police Station, Mandir Marg Complex	PS

State	Institution	Institution category
Delhi	South District	PS
Meghalaya	North East District, Seelampur	PS
Daman & Diu	Office of the Superintendent of Police, East Khasi Hills District Mairang	SP/DSP
A & N Islands	A & N Police Department (Headquarters)	HQ
Assam	Dibrugarh Police	PS
Assam	Police Station, Bongaigaon	PS
Assam	Golaghat Police	Commissioner/DCP
Assam	SP, Sivasagar	SP/DSP
Chandigarh	DSP Office, Crime, Chandigarh	SP/DSP
Chandigarh	Cyber Crime & IT, Sector 17	Others
Telangana	Mahankali Division, Hyderabad	PS
Telangana	Office of Dy. Superintendent of Police, Suryapet	SD
Telangana	Superintendent of Police, Jagtial	SP/DSP
Telangana	Police Station, Nallakunta	PS
Telangana	Police Station, Suryapet Rural	PS
Telangana	Hyderabad Green Pharma City Police Station, Rachakonda	PS
Madhya Pradesh	Shahdol Police Station	PS

State	Institution	Institution category
Telangana	Police Station, Rachakonda	PS
Telangana	Police Station, Kachiguda	PS
Telangana	Police Station, Nacharam	PS
Telangana	Police Station, Madgul	PS
Telangana	Police Station, LB Nagar	PS
Telangana	Police Station, Adibatla	PS
Telangana	Police Station, Ibrahimpatnam	PS
Telangana	Police Station, Vikarabad	PS
Telangana	Police Station, Manchal	PS
Andaman & Nicobar Islands	Police Station, Andaman District	PS
Ladakh	DSP Office Headquarters, Leh	SP/DSP
Jharkhand	Office of Superintendent of Police, Bokaro	SP/DSP
Mizoram	Police HQ, Aizawal	HQ

RTI Table 1B.6: E-Police website complaint with the accessibility standards provided in the Guidelines for Indian Government Websites

Availability of Vehicles with Accessible Features in Police Stations

State	Institution	Institution category
Delhi	Central District, Daryaganj	PS
Arunachal Pradesh	Police Station, West Siang	PS
Delhi	DCP Office, Shahdara	Commissioner/DCP
Chandigarh	DSP office, Sub Division North East	SP/DSP
Telangana	Police Station, LB Nagar	PS

RTI Table 1B.6: E-Police website complaint with the accessibility standards provided in the Guidelines for Indian Government Websites

Data on Persons with Disabilities who have Accessed Police Stations

State	Institution	Institution category
Meghalaya	Office of Superintendent of Police, West Khasi Hills	SP/DSP
Telangana	Police Station, Rachakonda	PS

RTI Table 1B.6: E-Police website complaint with the accessibility standards provided in the Guidelines for Indian Government Websites

ANNEXURE 2A: RTI QUESTIONS (PRISONS)

1. Are there staff members with disabilities in the prisons in the state in compliance with Section 34 of the Rights of Persons with Disabilities Act? If yes, please provide information on the number of prison staff members with disabilities at each level in the prisons i.e. DIG Prison, Warden, Jailor, Superintendent, Resident Medical Officer, or any other level of staff in the prisons in the state.
2. How many prisoners with disabilities are there in the prisons in the state? Please provide disaggregated data as per the parameters provided in the table below:

RTI Questions for Prisoners with Disabilities in States

Total Number of Prisoners with Disabilities	
Number of prisoners with disabilities by gender	Male Female Other Gender
Number of prisoners with disabilities by type of disability	Police Station, West Siang
Number of prisoners with disabilities by acquisition of disability	1. Prisoners who have acquired disability before entering the prison 2. Prisoners acquiring disability after entering the prison

RTI Table 2A.1: RTI questions for prisoners with disabilities in states

3. Are there ramps within the prisons in the state? If yes, please provide the number of prisons that have ramps.
4. Do prisons have accessible toilets for prisoners and prison staff with disabilities? If yes, please provide the number of prisons with accessible toilets for prisoners and prison staff with disabilities.
5. Do prisons provide assistive devices (wheelchairs, orthotics/prosthetics) to prisoners with disabilities? If yes, please provide details on the type and number of such assistive devices provided to prisoners with disabilities in the prisons.
6. Do prisons provide special accommodation facilities (such as special beds and bedding) to prisoners with disabilities? If yes, please provide details on the nature of special facilities provided to prisoners with disabilities.
7. Do prisons have accessible digital infrastructure such as text-to-audio, screen readers, captioning, large fonts, and other accessible features for prisoners with disabilities and prison staff with disabilities? If yes, please provide the number of computers or host devices that have these features of accessibility.
8. Are the vehicles that transport prisoners with disabilities accessible? If yes, please provide details on the features of accessibility available in such vehicles. Also, provide details on the number of such accessible vehicles.
9. Are there interpreters, translators, caregivers or any other type of support staff available for prisoners and prison staff with disabilities? If yes, please provide details of the number of such staff available in the prisons.
10. Does the prison department or government conduct sensitisation or awareness programs regarding persons with disabilities for prison staff and/or other inmates? If yes, please provide details on the number and frequency of such programs.
11. Do prisons have specialist medical staff (speech therapist, physical therapist, occupational therapist) other than psychologists to address concerns specific to prisoners with disabilities? If yes, please provide details on such specialist medical staff.
12. Do prisons have a specialised rehabilitation program for prisoners with disabilities to allow such prisoners to effectively reintegrate into society (earn a livelihood, live independently)? If yes, please provide details on the nature and number of such rehabilitation programs.
13. Do prisons have accessible recreational facilities to allow prisoners with disabilities to participate in sports, education, and other activities at par with other prisoners? If yes, please provide details on the nature and number of such recreational facilities.

Note: Please provide a source for each of the questions if the data is available in the public domain.

ANNEXURE 2B: RESULTS FROM THE RTI RESPONSE (PRISONS)

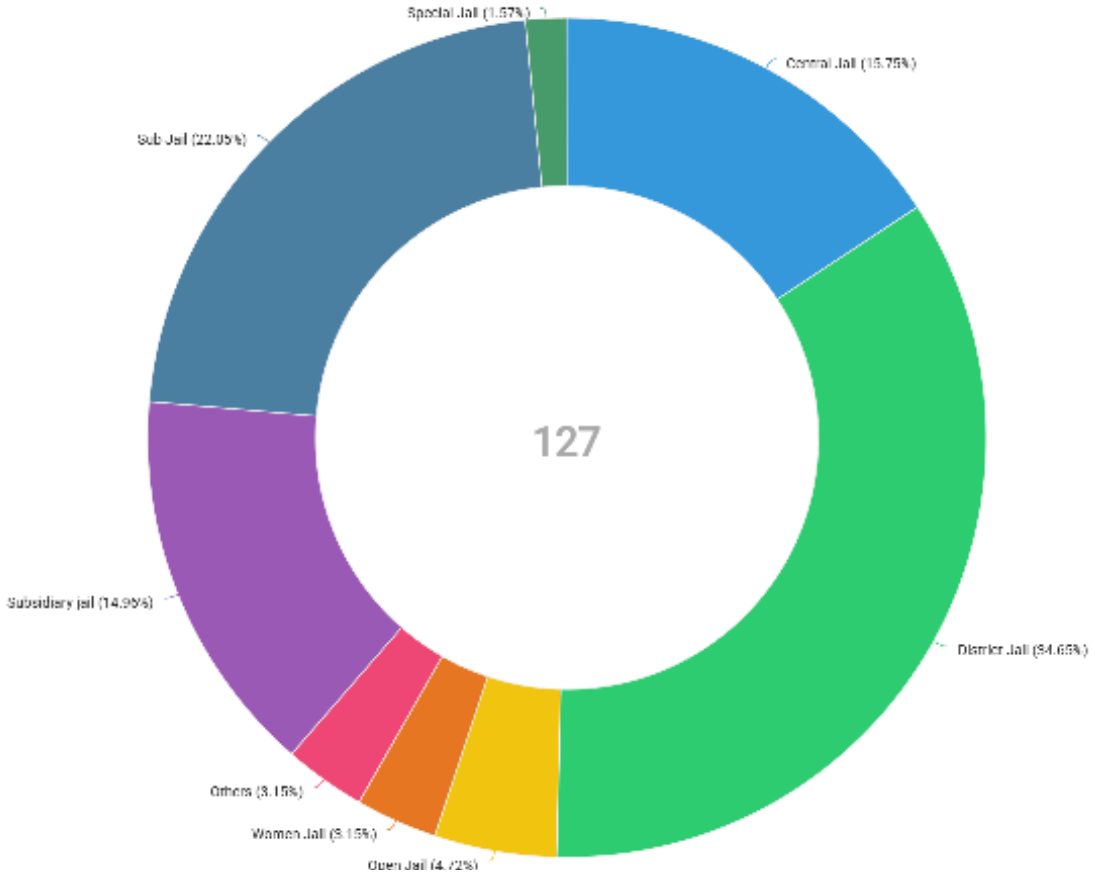
Total number of RTI responses received: 127 from 10 States/UTs

States and UTs that Responded to RTI Questions

#	State	No. of Institutions
1	Andhra Pradesh	2
2	Arunachal Pradesh	1
3	Assam	19
4	Bihar	1
5	Himachal Pradesh	6
6	Kerala	45
7	Ladakh	1
8	Punjab	2
9	Rajasthan	7
10	West Bengal	43
	Total	**127**

RTI Table 2B.1: States and UTs that responded to RTI questions

Types of Institutions that Responded to the RTI Questions



RTI Figure 2B.1 Types of institutions that responded to the RTI questions

Data on Persons with Disabilities who have Accessed Police Stations

#	State	Institutions	Total persons with disabilities	Number of prisoners with disabilities who are male	Number of prisoners with disabilities who are female	Presence of disability before incar-ceration	Acquired a disability after incar-ceration	Type of dis-abilities*
1	Assam	District Jail, Biswanath Chariali	2	2	0	1	1	Paralysis, locomotor disability
2	Assam	District Jail, Golaghat	15	14	0	1	1	Physical disability, mental disability
3	Assam	Central Jail, Tezpur	1	1	0	1	0	Not mentioned
4	Assam	Central Jail, Nagaon	2	1	0	1	0	Locomotor disability
5	Assam	District Jail, Morigaon	2	2	0	1	1	Paralysis
6	Assam	District Jail, Nalbari	1	1	0	1	0	Locomotor disability
7	Andhra Pradesh	Guntur District	29	29	0	0	0	Locomotor disability, deaf, paralysis, polio, Ortho
8	Andhra Pradesh	Central Prison,	2	2	0	2	0	Locomotor disability, deaf, paralysis, polio, orthopedic
9	Andhra Pradesh	Central Prison,	19	19	0	19	0	Locomotor disability, deaf, paralysis, polio, orthopedic
10	Andhra Pradesh	Central Prison, Kadapa	8	8	0	8	0	Locomotor disability, deaf, paralysis, polio, orthopedic

#	State	Institutions	Total persons with disabilities	Number of prisoners with disabilities who are male	Number of prisoners with disabilities who are female	Presence of disability before incarceration	Acquired a disability after incarceration	Type of disabilities*
11	HP	District & Open Air Jail, Bilaspur	2	2	0	2	0	Not mentioned
12	HP	District Jail, Hamirpur	1	1	0	1	0	Not mentioned
13	Rajasthan	District Jail, Jhalawar	14	12	2	14	0	Not mentioned
14	Rajasthan	District Jail, Akrela	2	2	0	2	0	Not mentioned
15	Rajasthan	Chittorgarh	2	2	0	0	0	Visual impairment, locomotor disability
16	Rajasthan	District Jail, Alwar	5	5	0	5	0	Poliomyelitis, deaf & dumb
17	Rajasthan	District Jail, Sikar	2	2	0	2	0	Not mentioned
Total			**109**	**105**	**4**	**60**	**2**	

**Note: The terms used in the RTI responses may not be sensitive to the current disability nomenclature*

RTI Table 2B.2 Prisoners with disabilities: numbers and types

Prison Staff with Disabilities

#	Institutions	Count
AP Prison Department	Central Prison, Visakhapatnam	3
	District Jail, Srilkakulam	1
	DSJO, kapada	1
	DSJO, Ongole	1
	Guntur Central	6

**Note: A few instances of prison staff with disabilities have been reportednomenclature*

RTI Table 2B.3 Prison staff with disabilities

Presence of Ramps in Prisons

#	Institutions	Ramps
Andra Pradesh	Central Prison, Visakhapatnam	1
	District Jail, Srilkakulam	1
	DSJO, kapada	1
	Guntur Central	3
Kerala	High Security Prison Viyyur, Thrissur	1
Assam	District jail, Nalbari	1
Rajasthan	District jail, Jhunjunu	1

RTI Table 2B.4 Presence of ramps in prisons

Prison Staff with Disabilities

#	State	Institutions	Number of Assistive Devices available in Prison	Remarks
1	Kerala	Sub Jail, Peermade	1	Wheelchair
	Kerala	Special Sub Jail, Devikulam	1	Wheelchair
	Kerala	Superintendent District Jail, Viyyur	2	Wheelchair and walker
	Kerala	Sub Jail, Aluva	1	Wheelchair
	Kerala	District Jail, Hosdurg	1	Wheelchair
	Kerala	Sub Jail, Viyyur	1	Wheelchair
	Kerala	Special Sub Jail, Kottarakkara	Not specified	Wheelchair
	Kerala	Sub Jail, Vatakaraa	Not specified	Wheelchair
	Kerala	Special Sub Jail, Ponkunnam	Not specified	Wheelchair
	Kerala	Central Prison & Correctional Home, Thiruvananthapuram	11	Wheelchair, crutches, walkers, stretchers
	Kerala	Sub Jail, Perinthalmanna	1	Wheelchair
	Kerala	Special Sub Jail, Manjeri	Not specified	Wheelchair
	Kerala	Special Sub Jail, Thiruvananthapuram	1	Wheelchair
	Kerala	Sub Jail, Tirur	1	Wheelchair
	Kerala	Sub Jail, Ponnani	1	Wheelchair
	Kerala	District Jail, Ernakulam	1	Wheelchair

#	State	Institutions	Number of Assistive Devices available in Prison	Remarks
	Kerala	Central Prison & Correctional Home, Kannur	10	Wheelchair, crutches, walkers, stretchers
	Kerala	Special Sub Jail, Muvattupuzha	1	Wheelchair
	Kerala	Central Prison & Correctional Home, Viyyur	3	Wheelchair
	Kerala	Special Sub Jail, Ponkunnam	1	Wheelchair
	Kerala	Sub Jail, Meenachil, Pala	1	Wheelchair
	Kerala	Women Prison & Correctional Home, Thiruvananthapuram	Not specified	Wheelchair
	Kerala	Sub Jail, Ernakulam	1	Wheelchair
	Kerala	Sub Jail, Mattancherry	Not specified	Wheelchair
	Kerala	Central Prison & Correctional Home, Thiruvananthapuram	11	Wheelchair, crutches, walkers, stretchers
	Kerala	Special Sub Jail, Kasaragod	1	Wheelchair
	Kerala	Special Sub Jail, Mavelikara	Not specified	Wheelchair
	Kerala	High Security Prison Viyyur, Thrissur	Not specified	Wheelchair
	Kerala	Central Prison & Correctional Home, Thavanur, Malappuram	1	Wheelchair
	Kerala	District Jail, Kottayam	1	Wheelchair
	Kerala	District Jail, Palakkad	1	Wheelchair

RTI Table 2B.5: Prison Staff with Disabilities

Accessible Transportation for Persons with Disabilities in Prisons

State	Institutions	Vehicles for Transportation
Kerala	Superintendent District Jail, Viyyur	Yes, ambulance is available
Kerala	Special Sub Jail, Kottarakkara	Ambulance
Kerala	Sub Jail, Vatakaraa	Yes, ambulance available
Kerala	District Jail, Idukki	Yes, wheelchairs and trolleys
Kerala	District Jail, Kollam	Yes, one
Kerala	Central Prison & Correctional Home, Thiruvananthapuram	Ambulance with stretcher
Kerala	District Jail, Thiruvananthapuram	Ambulance
Kerala	District Jail, Ernakulam	One ambulance
Kerala	Special Sub Jail, Neyyattinkara	A jail ambulance with stretcher facility is available
Kerala	Special Sub Jail, Muvattupuzha	Yes, ambulance
Kerala	Central Prison & Correctional Home, Viyyur	Yes, ambulance and folding wheelchair
Kerala	Special Sub Jail, Mavelikara	Ambulance provided
Kerala	Sub Jail, Attingal	Ambulance with stretcher is available in this jail
Kerala	District Jail, Palakkad	No separate vehicles are provided for prisoners with disabilities
Assam	District Jail, Kokrajhar	Two vehicles are there but no special vehicle
Assam	District Jail, Sonari	Yes
Assam	District Jail, Dhemaji	Yes
Assam	District Jail, Majuli	Yes
Assam	Central Jail, Dibrugarh	Yes
Assam	Central Jail, Nagaon	Yes

State	Institutions	Vehicles for Transportation
Assam	District Jail, North Lakhimpur	Yes
Assam	District Jail, Nalbari	Yes
Andra Pradesh	Guntur District	Ambulance and one stretcher
Andra Pradesh	AP Prisons Department	Yes, wheelchairs and trolleys
HP	District Jail, Shimla (Kaithu)	No special vehicle for persons with disabilities in prison
Rajasthan	District Jail, Jhalawar	District Jail, Jhalawar Ambulance is present for PwD prisoners in District Jail, Jhalawar No ambulance facilities is present in Sub-jail Akrela/Bhawani Mandi
Rajasthan	District Jail, Jhujhunu	Ambulance available
West Bengal	Serampore Subsidiary Correctional Home	Ambulance for prisoner with disability
West Bengal	Malda Correctional Home, Malda	Only one ambulance
West Bengal	Dum Dum Central Correctional Home	One vehicle is equipped with stretcher and medical appliance
West Bengal	Berhampore Central Correctional Home, Berhampore	One ambulance
West Bengal	Alipore Women's Correctional Home, Kolkata	Transportation for court production is provided by the police. Hospital process is done via ambulance.
West Bengal	Islampur Subsidiary Correctional Home, Islampur	Ambulance for transporting
West Bengal	Purulia District Correctional Home, Purulia	Yes, but these type prisoners are not admitted till date
Ladakh	District Jail, Leh	District Jail, Leh

RTI Table 2B.6 Accessible transportation for persons with disabilities in Prisons

Details of Special Accommodations Provided within Prisons

State	Institutions	Availability of special accommodation facilities in prisons
Kerala	Central Prison & Correctional Home, Thiruvananthapuram	Yes, one bed, three side rail beds, four prop up beds
Kerala	Central Prison & Correctional Home, Viyyur	Yes
Kerala	Women Prison & Correctional Home, Thiruvananthapuram	Yes
Kerala	Central Prison & Correctional Home, Thavanur, Malappuram	Yes, wooden cot, bed sheet
Assam	District Jail, Kokrajhar	Provided as per requirement
Assam	District Jail, Biswanath Chariali	Provided as per requirement
Assam	District Jail, Sonari	Provided as per requirement
Assam	District Jail, Golaghat	Provided as per requirement
Assam	District Jail, Dhemaji	Provided as per requirement
Assam	District Jail, Majuli	Provided as per requirement
Assam	Central Jail, Dibrugarh	Provided as per requirement
Assam	Central Jail, Nagaon	Provided as per requirement
Assam	District Jail, North Lakhimpur	Provided as per requirement
Assam	District Jail, Morigaon	Provided as per requirement
Assam	District Jail, Nalbari	Provided as per requirement
Andhra Pradesh	AP Prisons Department	District Jail, Nalbari
Rajasthan	RajasthanChittorgarh	District Jail, Nalbari
Punjab	Model Jail, Chandigarh	Accommodation facilities have been provided to the prisoners as per the Punjab Jail Manual, 1996

State	Institutions	Availability of special accommodation facilities in prisons
West Bengal	Serampore Subsidiary Correctional Home	Provided as per requirement
West Bengal	Malda Correctional Home, Malda	Yes, only one bed is available
West Bengal	Kalna Subsidiary Correctional Home, Kalna	Provided as per requirement
West Bengal	Asansol District Correctional Home, Asansol	Prisoner with disability lodged to hospital
West Bengal	Alipore Women's Correctional Home, Kolkata	Provided as per requirement
West Bengal	Katwa Subsidiary Correctional Home, Katwa	Provided as per requirement
West Bengal	Jangipur Subsidiary Correctional Home, Jangipur	Provided as per requirement
West Bengal	Bolpur Subsidiary Correctional Home, Bolpur	Provided as per requirement
West Bengal	Subsidiary Correctional Home, Purulia	Provided as per requirement
Ladakh	District Jail, Leh	Provided as per requirement

RTI Table 2B.7 Details of special accommodations provided within Prisons

Details of Staff(Interpreters, translators, caregivers) for Persons with Disabilities

State	Institutions	Interpreters, translators, caregivers
Kerala	Special Sub Jail, Muvattupuzha	Yes
Kerala	Central Prison & Correctional Home, Thavanur, Malappuram	Yes, two caregivers
Andra Pradesh	Guntur District	Yes, caregivers are available to meet the needs of prisoners
Andra Pradesh	AP Prisons Department	Caregivers (support staff) are available to meet the daily needs of prisoners with disabilities
Rajasthan	District Jail, Jhunjhunu	Only in jail hospital
West Bengal	Alipore Women's Correctional Home, Kolkata	Volunteer inmates are engaged as caregivers to prisoners with disabilities

RTI Table 2B.8 Details of staff (interpreters, translators, caregivers for persons with disabilities)

Details of Sensitisation Programs

State	Institutions	Sensitisation or awareness programs on disability in prisons
Kerala	District Jail, Idukki	Yes, provides motivational classes for inmates
Kerala	Central Prison & Correctional Home, Thiruvananthapuram	Twice a month
Kerala	Women Prison & Correctional Home, Thiruvananthapuram	Twice a year
Assam	District Jail, Sonari	Yes
Assam	Central Jail, Tezpur	Yes
Assam	District Jail, Dhemaji	Yes
Assam	District Jail, Majuli	Yes
Assam	Central Jail, Dibrugarh	Yes
Assam	District Jail, North Lakhimpur	Yes
Assam	District Jail, Morigaon	Yes
Assam	District Jail, Nalbari	Yes

State	Institutions	Sensitisation or awareness programs on disability in prisons
Andra Pradesh	Guntur District Jail	The Superintendent takes daily rounds along with all officers and conducts awareness for the inmates and every year, each and every guarding staff member is provided sensitisation/ refreshment training through the prison department
Andra Pradesh	AP Prisons Department	The Superintendent takes daily rounds along with all officers and conducts awareness for the inmates and every year, each and every guarding staff member is provided sensitisation/ refreshment training through the prison department
HP	District & Open Air Jail, Bilaspur	Yes
West Bengal	Alipore Women's Correctional Home, Kolkata	They are planned by the Directorate of Correctional Services
West Bengal	Tamluk Subsidiary Correctional Home, Tamluk	Yes
West Bengal	Baruipur Central Correctional Home, Baruipur	Yes, prison department conducts sensitisation or awareness programmes regarding persons with disabilities

RTI Table 2B.9 Details of sensitisation programs

Specialist Medical Staff in Prisons

State	Institutions	Availability of Specialist Medical Staff in Prison
Kerala	Special Sub Jail, Muvattupuzha	Yes
Assam	District Jail, Kokrajhar	Arranged when needed
Assam	Central Jail, Tezpur	Only psychologist engaged to counsel prisoners but no specialist medical staff
Assam	District Jail, Majuli	Arranged if needed
HP	District Jail, Hamirpur	Psychologist
Rajasthan	District Jail, Dholpur	Psychiatrist treatment from time to time
Rajasthan	District Jail, Alwar	Ophthalmologist, gynecologist, ENT specialist, dermatologist, medical specialist, sonographer, dental specialist, psychiatrist, TB & chest specialist, physiotherapist

RTI Table 2B.10 Specialist medical staff in Prisons

Details of Rehabilitation Programs

State	Institutions	Specialised Rehabilitation Program for Persons with Disabilities
Kerala	Sub Jail, Viyyur	Yes
Assam	District Jail, Kokrajharr	Available for released convicts
Assam	District Jail, Biswanath Chariali	Available rehabilitation program only for released life convicts
Assam	District Jail, Sonari	Provide rehabilitation program for prisoners
Assam	District Jail, Golaghat	General rehabilitation programs are there but no specialised programmes
Assam	Central Jail, Tezpur	There is a rehabilitation program only for released life convicts
Assam	District Jail, Dhemaj	Available rehabilitation program for released prisoners
Assam	District Jail, Majuli	There is a rehabilitation program for released life convicts
Assam	District Jail, North Lakhimpur	Available rehabilitation for released prisoners
Assam	District Jail, Morigaon	Available rehabilitation only for released prisoners
Assam	District Jail, Nalbari	Available rehabilitation for released prisoners
Andra Pradesh	Guntur District	Yes, only in central prisons, depending on their disability, prisoners with disabilities are being trained in the following units to have effective reintegration into society after their release from prisons: 1. Soap production 2. Steel unit 3. Tailoring unit 4. Bakery 5. Carpentry
Andra Pradesh	AP Prisons Department	Yes, only in central prisons depending on their disability, prisoners with disabilities are being trained in the following units to have effective reintegration into society after their release from prisons: 1. Soap production 2. Steel unit 3. Tailoring unit 4. Bakery 5. Carpentry
HP	District Jail, Shimla (Kaithu)	Various rehabilitation programs
West bengal	Alipore Women's Correctional Home, Kolkata	We inform the Probation-Cum-After Care Officer as they are entrusted with the rehabilitation program and after care services to reintegrate into society

RTI Table 2B.11 Details of rehabilitation programs

ANNEXURE 2C: DEPICTION OF DISABILITY IN PRISON MANUALS RTI RESPONSE (PRISONS)

https://docs.google.com/document/d/1Aa3PwiOgzeVq6l3nCiQ7jBlE6Ay-N7z4/edit

ANNEXURE 3A: RTI QUESTIONS(JUDICIARY)

1. Are there any persons with disability as judges in the High Court? If yes, please provide data on the number of such judges.
2. How many special courts have been established in the state as required under Section 84 of the Rights of Persons with Disabilities Act? Please provide a list of such courts.
3. How many courts have appointed special public prosecutors as required under Section 85 of the Rights of Persons with Disabilities Act? Please provide a list of such courts.
4. Do you have ramps and lifts within the High Court complex? If yes, please provide the number of ramps in the High Court complex.
5. Do you have toilets that are accessible to persons with disabilities within the High Court complex? If yes, please provide the number of such accessible toilets in the High Court complex.
6. Do you have toilets that are accessible to persons with disabilities within the High Court complex? If yes, please provide the number of such accessible toilets in the High Court complex.
7. Has the High Court made any special accommodations for persons with disabilities within its premises (such as vulnerable witness rooms)? If yes, please provide the number and details of such special accommodations.
8. Does the High Court have electronic devices that enable accessibility (text to audio, screen readers, captioning, large fonts, and other accessible features) in the HC? If yes, please provide the number and details of such devices.
9. Are there accessible car parking spaces in the High Court complex? If yes, please provide details on the number of vehicles that can be parked in such a space.
10. Does the High Court capture data on the number of litigants who are persons with disabilities? If yes, please provide the latest available data on the number of such litigants.
11. Have there been any training/ sensitisation/awareness programs for High Court judges regarding persons with disabilities? If yes, how many such programmes have been conducted?
12. Are there any sign language interpreters in the High Court? If yes, provide the number of the same.

ANNEXURE 4A: RTI QUESTIONS (LEGAL AID)

1. Are there staff members with disabilities in NALSA, State Legal Service Authorities, and District Legal Services Authority, in compliance with Section 34, Rights of Persons with Disabilities Act? If yes, please provide the number of persons with disabilities staffed in NALSA, State Legal Service Authority, and District Legal Services Authority.

2. Do you have persons with disabilities as PLVs, empanelled counsels, defense counsels, etc.? If yes, please provide information on the number of persons with disabilities PLVs, empanelled counsels, and defense counsels at each level, i.e., NALSA, State Legal Service Authorities, and District Legal Services Authority.

3. Do you have state-wise data on how many persons with disabilities beneficiaries have been provided with legal aid? If yes, please provide state wise dis-aggregated data for persons with disabilities beneficiaries of legal aid both civil and criminal matters.

4. Is there accessible infrastructure (eg: ramps, lifts, toilets for persons with disabilities) in the Legal Aid Front Offices and Legal Aid Clinics ? If yes, please provide the number of front offices and legal aid clinics with accessible infrastructure. Are these data publicly available on websites?

5. Are the websites maintained by Legal Aid Services, including NALSA and other state legal aid authorities accessible? If yes, please provide the number of websites which are accessible

6. Are there interpreters, translators, or any other type of support staff available for the persons with disabilities accessing the Legal Aid Services? If yes, please provide details of the number of such staff available in the Legal Aid Services.

7. Does the NALSA or the SLSA conduct sensitisation or awareness programs regarding persons with disabilities and their rights? If yes, please provide details on the number and frequency of such programs.

ANNEXURE 4B: RTI RESPONSES (LEGAL AID)

Total number of the responses is 114.

1) Are there staff members with disabilities in NALSA, State Legal Service Authorities, and District Legal Services Authority, in compliance with Section 34, Rights of Persons with Disabilities Act? If yes, please provide the number of persons with disabilities staffed in NALSA, State Legal Service Authority, and District Legal Services Authority.

There are 12 organisations that have addressed that they have staff members with disability

Number of Persons with Disabilities Staffed in NALSA, State Legal Service Authority, and District Legal Services Authority

State	Institutions	Number of staff
Karnataka	DLSA, Raichur	5
Karnataka	Karnataka State Legal Services Authority	1
Kerala	KeLsa, High Court Compound, Ernakulam	1
Kerala	DLSA Palakkad	1
Assam	DLSA Wayanad	1
Madhya Pradesh	District Court, Betul	1
Telangana	DLSA Karimnagar	1
Telangana	DLSA, KB Asifabad	1
Telangana	DLSA Adilabad	1
Telangana	DLSA Jagtial	1
Andra Pradesh	DLSA, Guntur	3

RTI Table 4B.1: Number of persons with disabilities staffed in NALSA, State Legal service Authority, and District Legal services authority

2) Do you have persons with disabilities as PLVs, empanelled counsels, defense counsels, etc.? If yes, please provide information on the number of persons with disabilities PLVs, empanelled counsels, and defense counsels at each level, i.e., NALSA, State Legal Service Authorities, and District Legal Services Authority.

79 out of 114 DLAS has responded to the question in which 28 DLAS mentions that they have persons with disabilities as para legal volunteers.

Number of Persons with Disabilities Staffed in NALSA, State Legal Service Authority, and District Legal Services Authority

State	Institutions	Number of persons with disabilities as PLV	Number of persons with disabilities as panel advocate
West Bengal	DLSA, Sardar	1	NA
Karnataka	DLSA, Raichur	7	1
Karnataka	DLSA, Tumakuru	1	1
Karnataka	DLSA, Ramanagara	3	NA
Karnataka	DLSA Tumkur	1	NA
Karnataka	DLSA, Kodagu	2	NA
Karnataka	DLSA, Kalaburagi	5	1
Karnataka	DLSA, Gadak	1	1
Karnataka	DLSA Dakshina Kannada	1	NA
Karnataka	DLSA, Shivamogga	7	1
Karnataka	DLSA Bagalkot	2	1
Kerala	DLSA, Ernakulam	NA	2
Kerala	Pathanamthitta	2	NA
Kerala	DLSA, Thrissur	NA	1
Kerala	DLSA Palakkad	NA	2
Kerala	DLSA, Kollam	18	6
Kerala	DLSA Manjeri	2	NA

State	Institutions	Number of persons with disabilities as PLV	Number of persons with disabilities as panel advocate
Jharkhand	DLSA, deoghar	2	2
Jharkhand	DLSA, Sahibganj	1	-
Madhya Pradesh	DLSA, PARISAR	not given	not given
Telangana	DLSA Karimnagar	4	1
Tripura	Tripura DLSA	3	NA
Odisha	DLSA, Balangir	1	NA
Odisha	DLSA, Kendrapara	1	NA
Odisha	DLSA, Puri	1	NA
Meghalaya	SLSA, Shillong	1	NA
Puducherry	Legal services authority	NA	3
Andhra Pradesh	DLSA, Guntur	1	NA
Kerala	DLSA, Ernakulam	NA	2
Kerala	Pathanamthitta	2	NA
Kerala	DLSA, Thrissur	NA	1
Kerala	DLSA Palakkad	NA	2
Kerala	DLSA, Kollam	18	6
Kerala	DLSA Manjeri	2	NA

RTI Table 4B.2: Number of persons with disabilities PLVs, empanelled counsels, and defense counsels at different levels

3) Do you have state-wise data on how many persons with disabilities beneficiaries have been provided with legal aid? If yes, please provide state wise disaggregated data for persons with disabilities beneficiaries of legal aid both civil and criminal matters.

Out of 114, 67 responded to the question, in which 29 DLAS have mentioned providing legal aid to persons with disabilities beneficiaries.

State Wise Disaggregated Data for Persons with Disabilities Beneficiaries of Legal Aid Both Civil and Criminal Mattersand District Legal Services Authority

State	Institutions	Number of persons with disabilities as PLV
West Bengal	DLSA, Purulia	3
West Benga	DLSA, Paschim Medinipur	5
West Benga	DLSA, Bankura	13
West Benga	DLSA, Cooch Behar	3
West Benga	DLSA Kolkata	2
Karnataka	DLSA Davangere	2
Karnataka	DLSA, Raichur	NA
Karnataka	DLSA Belagavi	3
Karnataka	DLSA Belagavi	1
Karnataka	DLSA, Gadak	1
Karnataka	DLSA Bagalkot	1
Karnataka	Karnataka State Legal Services Authority	NA
Karnataka	DLSA Dharwad	NA
Karnataka	DLSA Udupi	4
Jharkhand	DLSA, deoghar	4
Jharkhand	Jamtara DLSA	5
Jharkhand	Chatra DLSA	1
Kerala	DLSA Manjeri	2

State	Institutions	Number of persons with disabilities as PLV
Telangana	DLSA Karimnagar	1
Telangana	DLSA, Nyaya seva sadan, city civil court, Hyderabad	8
Telangana	DLSA, Yadadribhuvanagiri	1
Telangana	DLSA Mulugu	1
Sikkim	Sikkim State Legal Services Authority	14
Himachal Pradesh	DLSA, Chamba	1
Himachal Pradesh	DLSA, Bilaspur	NA
Odisha	DLSA, KORAPUT-JEYPORE	1
Odisha	DLSA, Khurda	217
Meghalaya	SLSA, Shillong	9
Puducherry	Legal services authority	NA
Andaman & Nicobar Islands	SLSA, Andaman & Nicobar Islands	3

RTI Table 4B.3 State wise disaggregated data for persons with disabilities beneficiaries of Legal Aid both civil and criminal matters

4) Is there accessible infrastructure (eg: ramps, lifts, toilets for persons with disabilities) in the Legal Aid Front Offices and Legal Aid Clinics ? If yes, please provide the number of front offices and legal aid clinics with accessible infrastructure. Are these data publicly available on websites?

Out of 114, 95 have responded to the question. 59 of the institute claims that they have either all or one of the accessible infrastructure(ramps, lifts, toilets accessible to persons with disabilities).

5) Are the websites maintained by Legal Aid Services, including NALSA and other state legal aid authorities accessible? If yes, please provide the number of websites which are accessible

Out of 114, 76 have responded to the question. 50 of the institutes mentioned that websites are accessible, four institutes : DLSA, vaikom, Meenachil Taluk Legal Services Committee, Taluk Legal Services Committee, Kottayam, DLSA Kottayam mentions that the data is available in the controlling office

Number of Accessible Websites Maintained by Legal Aid Services, Including NALSA and Other State Legal Aid Authorities

State	Institutions	Number of Website accessible
Jharkhand	DLSA West Singhbhum at Chaibasa	1
West Bengal	DLSA, Barasat	1
West Bengal	DLSA, Purulia	1
West Bengal	DLSA, Purulia	1
West Bengal	DLSA, Paschim Medinipur	1
West Bengal	DLSA, Bankura	1
West Bengal	DLSA, Kalimpong	1
West Bengal	DLSA, Cooch Behar	1
West Bengal	DLSA, Mushidabad	1
West Bengal	DLSA Kolkata	1
West Bengal	DLSA Malda	1
Karnataka	DLSA Davangere	1
Karnataka	DLSA Davangere	1
Karnataka	DLSA Davangere	2
Karnataka	DLSA, Raichur	1
Karnataka	DLSA, Raichur	1
Karnataka	DLSA, Raichur	1
Karnataka	DLSA, Raichur	2

State	Institutions	Number of Website accessible
Karnataka	DLSA, Tumakuru	1
Karnataka	DLSA, Ramanagara	1
Karnataka	DLSA, Ramanagara	3
Karnataka	DLSA Tumkur	1
Karnataka	DLSA Tumkur	1
Karnataka	DLSA, Kodagu	1
Karnataka	DLSA, Bengaluru Rural District	1
Karnataka	DLSA, Kalaburagi	1
Karnataka	DLSA, Kalaburagi	1
Karnataka	DLSA, Chamarajanagar	1
Karnataka	DLSA, Chamarajanagar	1
Karnataka	DLSA, Chamarajanagar	3
Karnataka	DLSA Dakshina Kannada	1
Karnataka	DLSA, Shivamogga	1
Karnataka	DLSA, Shivamogga	1
Karnataka	DLSA, Shivamogga	3
Karnataka	Karnataka State Legal Services Authority	1
Karnataka	Karnataka State Legal Services Authority	2
Karnataka	DLSA Bagalkot	1
Karnataka	DLSA Dharwad	1
Karnataka	DLSA Dharwad	1
Karnataka	DLSA Udupi	1
Karnataka	DLSA Udupi	1

State	Institutions	Number of Website accessible
Kerala	DLSA Kozhikode	1
Kerala	DLSA Kozhikode	1
Kerala	DLSA Kozhikode	1
Kerala	DLSA, Ernakulam	1
Kerala	DLSA, Ernakulam	1
Kerala	DLSA, Ernakulam	2
Kerala	DLSA, vaikom	1
Kerala	DLSA, vaikom	1
Kerala	Pathanamthitta	1
Kerala	Pathanamthitta	1
Kerala	DLSA, Kanjirappally	1
Kerala	DLSA, Thrissur	1
Kerala	Taluk Legal Services Committee, Changanacherry	1
Kerala	Meenachil Taluk Legal Services Committee	1
Kerala	Meenachil Taluk Legal Services Committee	1
Kerala	Taluk Legal Services Committee, Kottayam	1
Kerala	Kelsa, High Court Compound, Ernakulam	1
Kerala	Kelsa, High Court Compound, Ernakulam	1
Kerala	Thiruvananthapuram DLSA	1
Kerala	DLSA Palakkad	1
Kerala	DLSA Palakkad	1
Kerala	DLSA Palakkad	2
Kerala	DLSA Kottayam	1

State	Institutions	Number of Website accessible
Kerala	DLSA Wayanad	1
Kerala	DLSA Idukki	1
Kerala	DLSA Idukki	1
Kerala	DLSA Kasaragod	1
Kerala	DLSA Kasaragod	2
Kerala	DLSA, Kollam	1
Kerala	DLSA, Kollam	1
Kerala	DLSA Manjeri	1
Lakshadweep	Lakshadweep State Legal Services Authority	1
Jharkhand	Godda DLSA	1
Jharkhand	DLSA palamu	1
Jharkhand	DLSA, deoghar	1
Jharkhand	DLSA, deoghar	1
Jharkhand	DLSA, deoghar	1
Jharkhand	Jamtara DLSA	1
Jharkhand	Jamtara DLSA	1
Jharkhand	Jamtara DLSA	1
Jharkhand	DLSA, Lohardaga	1
Jharkhand	DLSA, Jamshedpur	1
Jharkhand	DLSA, Jamshedpur	5
Jharkhand	DLSA, Khunti	1
Jharkhand	DLSA, Khunti	2
Jharkhand	DLSA, Gumla	2

State	Institutions	Number of Website accessible
Jharkhand	DLSA, Jharkhand	1
Jharkhand	DLSA, Jharkhand	1
Jharkhand	DLSA, Deogarh	2
Jharkhand	DLSA, Sahibganj	1
Jharkhand	DLSA, Sahibganj	1
Jharkhand	DLSA, Dhanbad	1
Jharkhand	DLSA, Giridih	1
Jharkhand	DLSA, Dumka	1
Jharkhand	Chatra DLSA	1
Jharkhand	Chatra DLSA	1
Jharkhand	DLSA palamu	1
Jharkhand	DLSA, deoghar	1
Jharkhand	DLSA, deoghar	1
Jharkhand	DLSA, deoghar	1
Jharkhand	Jamtara DLSA	1
Jharkhand	Jamtara DLSA	1
Jharkhand	Jamtara DLSA	1
Madhya Pradesh	Ashoknagar DLSA	1
Madhya Pradesh	DLSA, Sagar	1
Madhya Pradesh	DLSA, Jhabua	1
Madhya Pradesh	DLSA, Jhabua	1
Madhya Pradesh	DLSA, Jhabua	1
Madhya Pradesh	DLSA Jabalpur	1

State	Institutions	Number of Website accessible
Madhya Pradesh	DLSA, Umariya	1
Madhya Pradesh	DLSA, Umariya	1
Madhya Pradesh	DLSA, Burhanpur	2
Madhya Pradesh	DLSA, Burhanpur	1
Madhya Pradesh	DLSA, Morena	1
Madhya Pradesh	DLSA, PARISAR	1
Madhya Pradesh	DIstrict Court, Betul	1
Madhya Pradesh	DIstrict Court, Betul	1
Madhya Pradesh	DIstrict Court, Betul	1
Madhya Pradesh	SLSA, Jabalpur	1
Telangana	DLSA, Yadadribhuvanagiri	1
Telangana	DLSA, Yadadribhuvanagiri	1
Telangana	DLSA, Bhadradri Kothagudem	1
Telangana	DLSA, Bhadradri Kothagudem	2
Sikkim	Sikkim State Legal Services Authority	1
Sikkim	Sikkim State Legal Services Authority	1
Tripura	Tripura DLSA	1
Tripura	Tripura DLSA	1
Uttar Pradesh	DLSA, Lucknow	1
Uttar Pradesh	DLSA, Lucknow	1
Madhya Pradesh	DLSA, Chamba	1
Madhya Pradesh	DLSA, Chamba	2
Madhya Pradesh	DLSA Jabalpur	1

State	Institutions	Number of Website accessible
Madhya Pradesh	DLSA, Sirmaur	1
Madhya Pradesh	DLSA, Sirmaur	1
Madhya Pradesh	DLSA, Bilaspur	2
Madhya Pradesh	DLSA, Unknown	1
Odisha	DLSA, Cuttack	1
Odisha	DLSA, KORAPUT-JEYPORE	1
Odisha	DLSA, KORAPUT-JEYPORE	1
Odisha	DLSA, Jharsuguda	1
Odisha	DLSA, Balangir	1
Odisha	DLSA, Kendrapara	1
Odisha	DLSA, Kendrapara	1
Odisha	DLSA, Angul	1
Odisha	DLSA, Bhadrak	1
Odisha	DLSA, Bargarh	1
Odisha	DLSA, Puri	1
Odisha	DLSA, Puri	2
Odisha	DLSA, Kandhamal, Phulbani	1
Odisha	DLSA, Nayagarh	1
Goa	Sub divisional Police officer, Porvorim	1
Meghalaya	SLSA, Shillong	1
Puducherry	Legal services authority	1
Puducherry	Legal services authority	1
Puducherry	Legal services authority	1

State	Institutions	Number of Website accessible
Andhra Pradesh	DLSA, Guntur	1
Andhra Pradesh	DLSA, Guntur	1
Andaman & Nicobar Islands	SLSA, Andaman & Nicobar Islands	1
Andaman & Nicobar Islands	SLSA, Andaman & Nicobar Islands	1

RTI Table 4B.4: Number of accessible websites maintained by Legal Aid services, including NALSA and other State Legal Aid authorities

6) Are there interpreters, translators, or any other type of support staff available for the persons with disabilities accessing the Legal Aid Services? If yes, please provide details of the number of such staff available in the Legal Aid Services.

Out of 114, 66 have responded to the question. Out of which seven institutes mention the availability of support staff for persons with disabilities.

Number of Support Staff available with the Legal Aid Services

State	Institutions	Number of Support staff for persons with disabilities
West Bengal	DLSA, Sardar	1
Karnataka	DLSA, Raichur	7
Jharkhand	DLSA, Dumka	1
Telangana	DLSA, Yadadribhuvanagiri	3
Himachal Pradesh	DLSA, Bilaspur	2
Odisha	DLSA, Bargarh	2
Odisha	DLSA, Nayagarh	NA

RTI Table 4B.5: Number of support staff (interpreters, translators, or others) available with the Legal Aid services

7) Does NALSA or SLSA conduct sensitisation or awareness programs regarding persons with disabilities and their rights? If yes, please provide details on the number and frequency of such programs.

Out of 119, 89 have responded to the question. Out of which 74 institutions mention conducting sensitisation or awareness programs.

Number and Frequency of Sensitisation or Awareness Programs Conducted by NALSA or SLSA Regarding Persons with Disabilities

State	Institutions	Frequency of sensitisation or awareness programmes
West Bengal	DLSA West Singhbhum at Chaibasa	Conducted every month
West Bengal	DLSA, Purulia	Frequency not mentioned
West Bengal	DLSA, Paschim Medinipur	Conducted 17 programmes in 2023 and 6 programmes in 2024
West Bengal	DLSA, Bankura	Organised 2 awareness camp
West Bengal	DLSA, Cooch Behar	3 Programs
Karnataka	DLSA Davangere	Conducted 5 programmes in Davangere from May 2023 to April 2024
Karnataka	DLSA Belagavi	Conducted once in every 2 months
Karnataka	DLSA, Vijaypura	Conducted once in 2023
Karnataka	DLSA, Tumakuru	Conducted 62 awareness programmes
Karnataka	DLSA Tumkur	Conducted 62 awareness programmes
Karnataka	DLSA, Kodagu	Conducted 3 programmes
Karnataka	DLSA, Bengaluru Rural District	Conducted 1 programm
Karnataka	DLSA, Kalaburagi	Conducted 2 programmes
Karnataka	DLSA, Gadak	Conducted 4 programmes
Karnataka	DLSA Bagalkot	Conducted 1 programme
Karnataka	DLSA Dakshina Kannada	Conducted 4 programmes
Karnataka	DLSA, Shivamogga	Frequency not mentioned

State	Institutions	Frequency of sensitisation or awareness programmes
Karnataka	Karnataka State Legal Services Authority	Conducted 1 programme
Karnataka	DLSA Bagalkot	Conducted 3 programmes
Karnataka	DLSA Dharwad	Frequency not mentioned
Karnataka	DLSA Udupi	Conducted 6 programmes
Kerala	DLSA Kozhikode	Conducted 1 programme
Kerala	DLSA, Ernakulam	Conducted 1 programme
Kerala	DLSA, Kanjirappally	Frequency not mentioned
Kerala	DLSA, Thrissur	Conducted 4 programmes in 3 months
Kerala	Meenachil Taluk Legal Services Committee	Frequency not mentioned
Kerala	Taluk Legal Services Committee, Kottayam	Conducted 1 programme, Frequency not mentioned
Kerala	DLSA Palakkad	Conducted 2 programmes in 2023 and 1 programme in 2024
Kerala	DLSA Kottayam	Conducted 2 programmes
Kerala	DLSA Idukki	Frequency not mentioned
Kerala	DLSA Kasaragod	Conducts 4 to 5 programmes
Kerala	DLSA Manjeri	Conducted 3 programmes in 2023 and 2 programmes in 2024
Jharkhand	Godda DLSA	Conducted once in every month
Jharkhand	DLSA, deoghar	Conducted 2 programmes
Jharkhand	Jamtara DLSA	Frequency not mentioned
Jharkhand	DLSA, Lohardaga	Frequency not mentioned
Jharkhand	DLSA, Jamshedpur	Frequency not mentioned
Jharkhand	DLSA, Khunti	Conducted once in every month
Kerala	Kerala	Kerala

State	Institutions	Frequency of sensitisation or awareness programmes
Jharkhand	DLSA, Jharkhand	Conducted 12 programmes
Jharkhand	DLSA, Deogarh	Conducted 4 programmes
Jharkhand	DLSA, Sahibganj	Conducted once or twice in a year
Jharkhand	DLSA, Dhanbad	Conducted 8 programmes
Jharkhand	DLSA, Giridih	Frequency not mentioned
Jharkhand	DLSA, Dumka	Conducted 4 programmes
Madhya Pradesh	Ashoknagar DLSA	Conducted once in every month
Madhya Pradesh	DLSA, Umariya	Conducted once in every month
Madhya Pradesh	DLSA, PARISAR	Conducted 2 programmes
Madhya Pradesh	DIstrict Court, Betul	Frequency not mentioned
Sikkim	Sikkim State Legal Services Authority	Conducted 1 programme
Tripura	DLSA Gomati	Conducted 5 legal awareness programmes
Tripura	DLSA Khowai	Conducted 4 legal awareness programmes
Tripura	DLSA Sephaijala	Conducted 1 legal awareness programme
Tripura	DLSA South	Conducted 1 legal awareness programme
Tripura	DLSA Unakoti	Conducted 2 programmes
Tripura	DLSA Dhalai	Conducted 3 legal awareness programmesd
Tripura	DLSA North	Frequency not mentioned
Uttar Pradesh	DLSA, Lucknow	Frequency not mentioned
Himachal Pradesh	DLSA, Chamba	Conducted 16 awareness programmes over the period from 2016 to 2023
Himachal Pradesh	DLSA, Sirmaur	Conducted 1 programme

State	Institutions	Frequency of sensitisation or awareness programmes
Himachal Pradesh	DLSA, Bilaspur	Conducted twice in an year
Himachal Pradesh	DLSA, Unknown	Conducted every year on disability day
Odisha	DLSA, Cuttack	Conducted twice in an year
Odisha	DLSA, KORAPUT-JEYPORE	Frequency not mentioned
Odisha	DLSA, Balangir	Frequency not mentioned
Odisha	DLSA, Kendrapara	Frequency not mentioneds
Odisha	DLSA, Angul	Frequency not mentioned
Odisha	DLSA, Bhadrak	Frequency not mentioned
Odisha	DLSA, Bargarh	Conducted 1 programme
Odisha	DLSA, Puri	Conducted twice in every year
Odisha	DLSA, Kandhamal, Phulbani	Conducted once in every year
Odisha	DLSA, Khurda	Frequency not mentioned
Odisha	DLSA, Nayagarh	Frequency not mentioned
Odisha	SLSA, Shillong	Conducted 11 programmes
Andra Pradesh	DLSA, Guntur	Conducted 35 programmes

RTI Table 4B.6: Number and frequency of sensitisation or awareness programs conducted by NALSA or SLSA regarding persons with disabilities

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