

Disability Bulletin

Developments in Disability Law & Policy

Edition 2

1) UDID mandatory to avail benefits of government schemes for persons with disabilities from April 1, 2023

On 3rd March 2023 the Department of Empowerment of Person with Disabilities, Ministry of Social Justice and Empowerment, issued a memorandum for mandatory requirements for availing benefits under central government schemes offered by the Department and its associated organizations including the National Trust, the Artificial Limbs Manufacturing Corporation of India (ALIMCO), Rehabilitation Council of India (RCI), National Handicapped Finance and Development Corporation (NHFDC) effective from April 1, 2023.

The main objective of this move is to increase transparency and reduce the burden of paperwork on the people with disabilities. All divisional heads in the Department of Empowerment of Persons with Disabilities and Head/In charge of National Institutes/Organizations/Statutory Bodies/Public sector undertakings under the department shall ensure strict compliance of mandatory requirement of documents for availing such benefits.

Mandatory requirements are:

1. UDID number (on card), or when unavailable,
2. A UDID enrolment number (generated on the UDID portal after the application process) along with a copy of the disability certificate.

Note: there is no requirement to produce or upload a copy of a disability certificate when a UDID number (card) is present.

List of schemes and benefits where UDID will be mandatory from April 1, 2023

1. Post-Matric Scholarship for Students with Disabilities
2. Pre-Matric Scholarship for Students with Disabilities
3. Scholarship for Top Class education for Students with Disabilities
4. National overseas Scholarship for Students with Disabilities
5. National Fellowship for Students with Disabilities
6. National Fund for Empowerment of Persons with Disabilities
7. National Action Plan for Skill Development for Person with Disabilities
8. District Disability Rehabilitation Centre (DDRC)
9. Assistance to Disabilities persons for purchase/fitting of Aids & Appliances
10. Deendayal Disabled Rehabilitation Scheme (Staff & Beneficiaries)
11. National Institute and Composite regional Centre (Registration, Treatment) expect surgical
12. National Handicapped Finance and Development Corporation (Loans)
13. Artificial Limbs Manufacturing Corporation of India (benefits under the Corporate Social Responsibility)
14. Day Care Under National Trust, Disha Schemes, VIKAAS schemes, DISHA cum VIKAAS schemes
15. Residential care Under National Trust, SAMARTH Scheme, GHARAUNDA Schemes, GHARAUNDA cum SAMARTH Schemes

16. Niramaya Health Insurance Scheme under National Trust

17. Rehabilitation Council of India (enrolment of children in special school within RCI affiliated institutions)

2) Understanding Recent Amendments to RPwD Rules, 2017 - Harmonized Guidelines and Standards for Universal Accessibility in India (2021)

On 5th June, 2023, the Ministry of Social Justice and Empowerment notified amendments to [Right of Person with Disabilities Rules, 2017](#)¹ under Rule 15 as per the notification G.S.R. 413 (E) dated 05.06.2023. The amendment substituted the *"Harmonised Guidelines and Space Standards for Barrier-Free Built Environment for Persons with Disability and Elderly Persons"* (Harmonized Guidelines 2016) with *"Harmonised Guidelines and Standards for Universal Accessibility in India - 2021"* prepared by the Ministry of Housing and Urban Affairs. The move aims to increase accessibility and inclusion in public spaces and of public infrastructure across different sectors as per Section 40 of the Rights of Persons with Disabilities Act, 2016. The new amendment to Rule 15, which corresponds to Section 40 of the Act replaces the phrase barrier-free design² to universal accessibility³ - a step towards widening the definition and meaning of inclusion (i.e., not just including persons with disabilities).

Other Major Notified Amendments under Rule 15

1. [Accessibility guidelines](#) for ICT Products and Services (Part I and II).

2. [Standards for Bus Body Code for Transport systems](#) by the Ministry of Road Transport and Highways.

Draft Notifications were made for accessibility of healthcare, civil aviation, the cultural sector, and sports and were open for public comments until early this month.

3) Persons with Disabilities can now register their vehicles under the Divyangjan category

On 3rd February 2023, the Ministry of Road Transport and Highways (MoRTH) directed states (under [notification](#)) to register vehicles owned by people with disabilities under the 'Divyangjan' category so as to

provide and extend benefits, facilities, and exemptions, such those offered under taxation laws, to persons with disabilities who would otherwise lose out on them.

Benefits include:

1. [Concessional rates](#) on excise duty of 8% for cars driven by persons with disabilities, adapted cars, and cars meant for persons with disabilities.
2. GST concession certificates [valid](#) for 6 months until a period of 2 years up to June 30, 2024.
3. No highway toll charges.

Who can record ownership?

1. Persons can record ownership under the category of **"Divyangjan with or without GST"** in the registration certificate irrespective of the vehicle being old/new or adapted/non-adapted.
2. The vehicle owner should be a person with a disability with >40% or benchmark and should be in possession of a disability certificate issued by competent authorities.

Circumstances under Guidelines to record vehicle ownership as "Divyangjan"

1. Persons with disabilities who own a vehicle and are unable to drive, but have a driver with a valid license, can register their vehicle under the **"Divyangjan"** category. This implies that the ownership and not the type of vehicle determine the registration category.
2. When a person with >40% disability applies for registration under his name, then the registration must be made under the **"Divyangjan"** category. However, the person will not be able to register any other vehicle under this category concurrently.
3. If a vehicle owner becomes physically disabled, they can apply for change in the ownership category. In that case the authorities must change their category to **"Divyangjan"** for the person to avail benefits/exemptions.
4. A person with disability who buys an in-use vehicle, either from an individual or the government, can register the vehicle under the **"Divyangjan"** category.

¹ Now Rights of Persons with Disabilities (Amendment) Rules, 2023

² describes the removal of physical barriers from the built environment for people with disabilities.

³ describes designing products, services, environments, programmes, and schemes to the extent that they do not require a special design.