

100+ points on NITI Aayog's Three Year Action Agenda to make it inclusive for persons with disability

National Committee on the Rights of Persons with Disabilities (NCRPD) – a disability think tank set up by National Centre for Promotion of Employment for Disabled People (NCPEDP) is happy to share the following analysis authored by its committee member Ankit Rajiv Jindal

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Introduction

As the member of the disability rights movement, National Committee on the Rights of Persons with Disabilities (NCRPD) welcomes the opportunity to provide feedback to the Three Year Action Agenda, released by NITI Aayog.

National Centre for Promotion of Employment for Disabled People (NCPEDP) constituted the NCRPD in 2008. NCRPD is a Committee of more than 25 key leaders and experts from the Indian disability movement. It was set up to work like a think tank and an idea centre to mainstream disability issues. The committee developed from the idea that the role of disability activists does not stop at just lobbying but also to be watchdogs of the nodal agencies. The formation of the National Committee is to look into which areas are neglected and which need to be worked on. NCRPD has been in the forefront of advocating for the inclusion of persons with disability in India's Vision 2030 framework and has been engaging in several consultations with various stakeholders for the same.

The NITI Aayog on April 23, 2017 released the draft three year action agenda. It offers ambitious proposals for policy changes for the next three years starting from 2017-18 to 2019-20. The action agenda is first of the three part framework that NITI Aayog is developing: a Fifteen Year Vision, Seven Year Strategy and Three Year Action Agenda documents. The Vision, Strategy and Action Agenda exercise represents a departure from the Five Year Plan process and is expected to better align the development strategy with the changing reality of India.

Considering the importance of the Vision, Strategy and Agenda document, the disability community feels that if there are no focused measures to include disability in this exercise, the community which is one of the largest minority, shall get 'left behind' and miss the development agenda. In this report, the authors have examined the Action Agenda and provided a perspective on the various initiatives where how disability could be integrated. In addition, there are several other suggestions based on current disability landscape in the country, provisions of the Rights of Persons with Disability Act 2016 (RPWD Act 2016) and some long standing demands of the sector, which are included in the following document considering relevance to the duration of the Action agenda. We emphasize the importance of developing the framework in alignment with the provisions of United Nation's Convention on the Rights of Persons with Disabilities (UNCRPD) and the RPWD Act 2016.

We would like to submit the following observations, comments and recommendations to NITI Aayog and Department of Empowerment of Persons with Disability (DEPWD) on the inclusion of persons with disabilities in the three year action agenda. The following sections provide comments and suggestions to make the three year agenda inclusive for persons with disabilities:

Policies & Regulations and the Rights of Persons with Disability Act 2016

1. The disability sector appreciates that the Action Agenda has 18 specific points (22.87 – 22.104) that discusses various aspects of empowerment of persons with disabilities.
2. The Three year agenda has not kept pace with one of the most important political developments with respect to persons with disability. It mentions that the RPWD Act is yet to be passed by Lok Sabha (22.90). However, the Rights of Persons with Disability (RPWD) Act 2016 was passed by both houses of Parliament during the winter session and was subsequently notified for enforcement in April 2017. So, the three year agenda needs to be updated and should now focus on the enforcement of the new RPWD Act and not on Replacement of the Persons with disability Act, 1995.
3. The disability sector appreciates that the three year Action Agenda acknowledges that socio-economic empowerment of Persons with disability is an inter-sectoral issue but, has not received adequate attention from different Ministries and Departments. Further, the agenda also insists that the responsibility for specific initiatives for Persons with disability should be brought under the purview of the relevant line Ministries. For instance, all education related matters should be with the Ministry of Human Resources Development. However, there was hardly any mention of disability in the respective sections/ chapters of the Agenda document.
4. Disability is a cross-cutting issue and has direct relevance across several ministries including Human resource Development, Home Affairs, Finance, Rural and urban Development's, Health and Family Affairs, Women and Child Development etc. There could be as many as 27 - 30 Ministries and departments in addition to Ministry of Social Justice and Empowerment, where there needs to be a dedicated focus from a disability point of view. The Action Agenda should emphasize that all such Ministries and departments, including NITI Aayog, must have a dedicated unit/ cell that is responsible to integrate disability. These dedicated cell / unit shall comprise of persons with disabilities. Further, there should also be specific budgets allocated across initiatives and Ministries to address the needs of persons with disability.
5. The three year agenda's outlook on National Policy for persons with disabilities (22.90) which outlines need of it being revised to make it more relevant and comprehensive is appreciable. Similar to the approach adopted during the formulation of the RPWD Act 2016, the policy should be started fresh and not amended. This should be in alignment with RPWD Act and UNCRPD. NITI Aayog should take a pivotal role in working with the states and reach the target of 20 states to have a policy on disability by the end of the three years.
6. The Action Agenda should have a point that all statutory and administrative laws, rules, regulations and subordinate legislations at Central / State levels (19.6), including criminal justice and procedural laws are reviewed and amended in compliance with RPWD Act 2016 & UNCRPD. Further, towards section 19.17, we recommend repeal any law that cannot be amended in lines with RPWD ACT 2016 and UNCRPD.
7. The disability sector strongly advocates for adopting an inclusive and accessible procurement policy 18.15 at the Centre and state level. Section 508 of the Rehabilitation Act ii currently implemented at the United States of America could be considered as a benchmark. A working committee must be immediately constituted by NITI Aayog with representation from Ministry of Finance, Ministry of Commerce and DEPWD and persons with disabilities to formulate this policy and bring in action at the earliest possible. This will act as a great enabler for various other provisions as mentioned in the three year agenda document such as providing accessible transportation, increase employment opportunities etc. and will also be compliant to the RPWD Act 2016. The central and state committees on procurement policy should engage with access

consultants and the procurement framework must ensure that the end-to-end process is made accessible and inclusive. Government E Marketplace (GeM) portal, e procurement and databases (for government tenders etc.) shall be made accessible and inclusive for persons with disabilities.

8. The Three year agenda document mentions that In order to improve accessibility of infrastructure, one of the additional sources of funding that should be tapped is corporate social responsibility. However, this will encounter a major roadblock. Schedule VII under section 135 of Companies Act 2013 which provides the over-arching guidelines for sponsoring activities projects through CSR fund, does not have any explicit mention of activities for sponsoring to improve the accessibility of built or digital environment nor does it include accessible India campaign. NITI Aayog and DEPWD should prioritize and work with Ministry of Corporate Affairs to get the said schedule updated to include activities that improve accessibility of physical and digital environment. Further, also include and elaborate on existing clauses of the said schedule, to include any other activities that enhance independent living, reduce poverty, education and employment opportunities for persons with disabilities.
9. The Action Agenda has a point on improving Access to Aids/Assistive technologies for persons with disabilities. We recommend that new Programs / measures to ensure the independent living of persons with disabilities within the community shall be evolved and included in the above mentioned program as well as ensure the availability of all the aids and appliances according to the new list evolved by World health Organization. This should consider the models available in other countries and those suggested by UNCRPD such as supported decision making system, personal assistance program for independent living etc.
10. Disability is still seen as a subject for dispensing charity rather than as a human rights issue. The knowledge of members of Parliament (MP), state legislatures and the bureaucracy must be refreshed on the rights, needs and challenges based on the changing disability landscape. The important provisions of UNCRPD and the new RPWD Act must be explained. Also, other stakeholders such as NGOs, academia, businesses and civil society groups will play a key role in the realization of the 2030 Agenda, hence NITI Aayog must invest considerable effort in building awareness for all the stakeholders with a clear imperative of a development agenda which is inclusive of persons with disabilities Among these, it is important to have a special focus on private sector, including the small and medium segment, which is an important engine for job creation and economic progress in our country.
11. The State Institutes of Rural Development (SIRD) (8.5) are responsible for supporting the implementation of various programs in the area of rural development as well as training elected representatives at the Panchayat level. Hence, there must be a concerted effort in orienting them on the changing disability landscape and must be used as an important engine to penetrate various programs for the empowerment and welfare of persons with disability.
12. The Action Agenda had no mention of the proposed national centre to facilitate and support the development of universal design principles and promote a barrier free environment. This proposal was in the XI Five Year Plan (2007- 2012) and in the XII Plan (2012-2017). As of February 2017, this centre has not been established.
13. Electoral reforms shall be inclusive of persons with disabilities and the think tank (16.19 & 16.20) shall include members with disabilities. The RPWD Act in section 11 mandates that the Election Commission of India and the State Election Commissions shall ensure that all polling stations are accessible to persons with disabilities and all materials related to the electoral process are easily understandable by and accessible to them. Electoral reforms shall include alternative methods of voting, reasonable accommodation measures, punitive actions on derogatory conduct by political party and their representatives towards persons with

disabilities, Political parties must be mandated to make their campaign inclusive by ensuring their manifestos are available in alternate and accessible format, use of sign language interpreters and ensuring accessibility for rallies and public briefings; enforcement of standard operating procedures for basic minimum facilities to be ensured for accessible & inclusive elections, checklist for election observers to include indicators on accessible electoral process and observers from disability sector should be invited to monitor accessibility and inclusiveness in all the forthcoming elections.

14. Code of Civil procedure & Code of Criminal procedure (19.18), shall be reviewed and amended for inclusion of additional reasonable accommodations measures to facilitate the fair trial of persons with disabilities. Judicial staff including the advocates and Judges shall be sensitized about the issues, requirements and reasonable accommodations to be provided to persons with disabilities with respect to any legal procedures. Awareness should be raised among persons with disabilities about the judicial procedures and reasonable accommodations available for persons with disabilities. 19.10 Judicial Performance index shall keep track of accessible facilities and reasonable accommodations provided to persons with disabilities in different cases / judicial proceedings at Supreme Court, High Courts & District Courts.
15. Consumer protection. Review all laws and rules on consumer protection such as the Consumer Protection Act 1986 and all other relevant consumer protection legislations and amend it as per the provisions and spirit of RPWD Act 2016 and UNCRPD. Right to accessibility should be included as a consumer right, which ensures goods and services with accessibility features. There should be clear guidelines to get all information in easy, standardised and accessible formats. All consumer courts should be immediately audited for accessibility and all online forums on information, grievance handling must comply with WCAG 2.0 standards.
16. It is imperative that in the next three years, Legislative, Administrative and operational reforms with respect to Police force (19.15), shall include provisions for accessibility, reasonable accommodations and awareness about the same to persons with disabilities. Police stations as well as ICT used by the department shall be accessible for persons with disabilities. Police force shall be sensitised about the issues, requirements and reasonable accommodations to be provided to persons with disabilities with respect to any police / legal interventions. Awareness shall be raised among persons with disabilities about the procedures and reasonable accommodations available for persons with disabilities with respect to police force.
17. Corruption related reforms, monitory mechanisms, judicial procedures and disciplinary actions (16.22, 16.23) shall include specialised and accessible approach mechanisms for persons with disabilities as this most marginalised group is often a victim of corruption at the ground level for acquiring disability certificate, monthly maintenance allowance, rural development employment opportunities and benefits of various other schemes.
18. All public events and consultations conducted by any government department / ministry shall have sign language interpretation. Television channels to enable sign language interpretation as provided by RPWD ACT 2016. Services / programs involving ICT in all departments / ministries shall be made accessible for persons with disabilities within the next three years.
19. National Handicap Finance Development Corporation - NHFDC (22.97) shall recognize the ability and legal capacity of persons with intellectual / psycho social / developmental / other severe disabilities, those who wish to be entrepreneurs and enable them to evolve to their highest potential.
20. National Intellectual Property Rights (IPR) Policy (15.15), Atal Innovation Mission (15.4), India's science & technology policy 2003 (15.3 and Start up India Initiatives shall be amended and interpreted in alignment to the provisions of Rights of Persons with Disability Act 2016. The proposed system of project- and scholar-specific research grants and 'prize' system (20.32) for

research in specific areas shall prioritize projects with aim to find innovative solutions for challenges impacting persons with disabilities. Encourage participation from students, researchers, entrepreneurs and individuals with disabilities. Further, participants should be encouraged and incentivized to research, develop and provide solutions (products, services and technology) that enable independent living, dignity and equal participation in the society for persons with disabilities. All such programs / initiatives / researches at the Central & State level shall ensure participation of persons with disabilities effectively.

21. Action Agenda acknowledges policy making a specialized activity (16.9). Therefore, it is essential that disability specialists be inducted into the system through lateral entry. Further, the NITI Aayog performs many tasks requiring specialized knowledge and skills. It has recently proposed changes to its Rules of Recruitment, which if approved would open the door to lateral entry. It should ensure that there are positions for experts in policy-making, accessibility, program-management for persons with disabilities. Such a system should act as a pilot for the rest of the system.
22. The review of all existing schemes by NITI Aayog (also mentioned in the point 16.37) shall include persons with disabilities as analysts, analyze the impact of all existing schemes on all marginalised groups including persons with disabilities, propose / implement corrective actions if required towards delivering its objectives and finally may result in closure of projects once target is achieved.
23. Darpan Portal (16.40) shall include NGOs / DPOs working for the welfare of persons with disabilities and shall be given due respect and recognition on approaching a government agency for any developmental intervention.
24. Women with disability should be made an integral part of the women movement. All programs carried out for the economic participation of women 22.7 including financial literacy program, various priority sector lending schemes, opportunities in public service and specific skill development programs by National skill development corporation shall include women with disabilities and be accessible for them. All measures described in points 22.12 – 22.14 for Women's safety including technological interventions shall be inclusive of the specific needs of women with disabilities. Gender Responsive Budgeting 22.6 shall include women with disabilities. The proposed Gender based Index (22.15) to be developed in the next 3 years shall have disaggregated data on women with disabilities.
25. Children with disabilities experience higher risk by means of human trafficking which needs to be arrested with additional focus 22.17. All measures carried out for the protection of children (22.25 – 22.30) such as implementing relevant legislations, strengthening state commissions for the protection of child rights, evaluating child line services, checking child trafficking, evolving data on child trafficking and child deaths etc. shall include children with disabilities with special focus.
26. Evaluation & strengthening of existing Schemes and programs for youth (22.34 – 22.38) such as Nehru Yuva Kendra Sangathan, National Service Scheme, National Institute for youth development, Nutritional program, transition from substance abuse to skill development, National survey etc. shall incorporate a specific focus with respect to youth with disabilities. The data on youth shall 22.33 have disaggregate data on youth with disabilities.
27. All measures listed out in the minorities section (22.39 – 22.57) such as strengthening the implementation and monitoring of existing schemes (PMs 15 point program, social audits of schemes), promoting education and skill development, empowering minority women (Muslims) shall include persons with disabilities, their accessibility/reasonable accommodations and their disaggregate data.

28. All measures planned and implemented for SCs, STs and OBCs (22.58 - 22.86) such as specific focus in education, economic development, integrated development of village with larger SC/ ST/ OBC population, specific welfare schemes, strengthening the implementation of Forest Rights Act 2006 / Panchayats Extension to Scheduled Areas Act 1996, etc. shall include persons with disabilities as well as ensure the disaggregated data on disability and accessibility to persons with disabilities belonging to these communities. Information on the same shall be disseminated to persons with disabilities in accessible formats.
29. Maintenance and welfare of parents & senior citizens act 2007 (22.108) shall be amended in lines with RPWD Act 2016. Implementation of national policy for senior citizens shall involve senior citizens with disabilities and ensure all reasonable accommodations measures. Other programs such as old age homes, district helplines, and national program for the health care of elderly, social security programs, day care, and care givers through Regional Resource & Training Centres etc. shall include senior citizens with disabilities and shall ensure all accessibility & reasonable accommodation measures.

Disaggregated data on disability

30. The three year agenda is praise worthy for it is one of the rare government document that acknowledge that the Census 2011 data of 2.68 crore Persons with disability in India constituting 2.21% of the total population could be an underestimate. It subsequently refers to the statistic from World Health Organisation that mentions that there are 15% of the world's population faces some form of disability. Further, it also acknowledges that the first step towards empowering Persons with disability is obtaining a realistic estimate of the numbers of people who are living with various types of disabilities. This has been difficult to obtain.
31. In March 2017, Ministry of statistic and Programme implementation (MOSPI) released the draft indicators framework to measure progress towards Sustainable Development goals which are co-terminus with Vision 2030 document. According to a report by NCRPD, Indicators released by MOSPI provide for disability in only 3 instances. This is substantially lower than even the indicators mapped by the United Nations which had specific mention of disability at 11 places. In each Goal which has a reference or mention of 'Vulnerable Groups', disability should be an integral part of the relevant Targets. According to a report submitted by NCRPD to MOSPI and DEPWD, there are over 200 indicators where data can be disaggregated for people with disabilities. The Indicators must be developed in harmony with the UNCRPD and the RPWD Act, 2016 and wherever possible disability specific indicators must be created. For example, in Goal 11 on Resilient Cities there should be specific indicators on numbers of accessible public places, both private and Government across employment, education, health, recreations etc. and also, the number of accessible websites providing people with disabilities necessary information and servicesⁱⁱⁱ. Under each Ministry involved in the implementation and tracking of SDGs, there should be a strong focal point that understands, analyses and reports disaggregated data for persons with disabilities.
32. MOSPI has not carried out any statistical research on disability in recent years. The last survey on disability conducted by the National Sample Survey Organisation (NSSO), which is a part of MoSPI, was way back in 2002. NSSO undertakes surveys on different socio-economic subjects, conducts village surveys and many others. However, 'persons with disability' as a relevant social group, is not appropriately covered by these surveys. For example, in the employment and unemployment surveys conducted by NSSO periodically, persons with disability as a category has not been included.^{iv}
33. For India to create quality and comparable disaggregated data on disability, it is important to have the addition of a universally accepted disability question(s) on all existing data instruments.

UN recommends the Washington Group Short Set of Questions “while India has traditionally been using a different question. A standard question(s) need to be developed, taking into account the socio cultural sensitivities of people with disabilities and their families. NITI Aayog, MOSPI and DEPWD should call for a national level consultation with cross disability groups and arrive at a consensus on the right question, which then should be unified across all data instruments of all sources of demographic information.

34. ¹NITI Aayog should invite a consultation to create a framework for Disability well-being index for persons with disabilities, similar to Women’s Well-being index proposed in point 22.15. Over the next three years, a composite disability-based index to reflect the status of persons with disability in the country should be developed. For developing this index, generating disability-disaggregated data across all socio economic parameters such as income, occupation, health, education, crime records, budgetary allocations etc. is imperative.
 35. Unique Disability Identity Card (UDID) is pegged as one of the most important source for data-collection for persons with disability. However, it is important that UDID card framework includes activists / experts with disabilities and assessments shall be based on functional aspects of disability and not on the medical model of disability, for which the professionals involved in this task at the State medical board shall attend State / Central level consultations with inputs from relevant experts from the Disability Sector / civil society. Further, UDID on itself, will not be able to ascertain a realistic picture of the development and progress for persons with disabilities unless all ministries, departments, both at the state and central level, include disability in their respective MIS, surveys and as their core stakeholder. Many ministries don’t include persons with disabilities in their MIS, take for instance In a response to a RTI filed by NCPEDP demanding the number of children covered under the Integrated Child Development Services (ICDS), the Ministry of Women and Child Development said that the existing MIS (Management Information Systems) does not capture information on disabled children. The three year agenda should have a road map on integrating disability across all data instruments used for collecting demographic information including for the Population Census, Civil Registration, Sample Surveys conducted by the National Sample Surveys Organization, Sample Registration System, Income-tax records, MIS of all ministries and departments at the state and central level, and for all social schemes including NREGA, NRLM, NULM, Jan Dan Yojna etc.
 36. The Socio-Economic Caste Census (SECC) (8.3), The SECC, 2011 is becoming the basis for determining beneficiary level entitlements for several programs in the rural sector. A mechanism for updating the data with an individual’s disability status in compliance with the provisions of RPWD Act 2016 needs to be institutionalized on priority. In the long run, this could be integrated with UDID and Aadhar data-sets. Further data-sets should be updated on information such as number of disabled people having access to assistive aids and technology, care-givers, employment, accessible education material/ skill programs. Eventually, this could play an important function in creating targeted poverty alleviation programs for persons with disabilities. Further, a mechanism for measuring key indicators for SHGs including household savings, income, asset creation, debt reduction and productivity needs to be developed for persons with disabilities. A pivotal role should be played by the Ministry of Social justice & Empowerment, NITI Aayog and MOSPI in ensuring implementation and coordination for collecting, maintaining, analysing and disaggregating data on disability. The three year agenda should have a roadmap to sensitise the stakeholders on the subject. Further, enumerators must be made to understand the importance of the question and are trained to collect data from families or persons with disabilities with sensitivity so that correct analysis and data is reported
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in a structured and a transparent manner without any bias, stereotype or prejudices. Further, all such data / reports must be available in public domain, published in 'accessible' formats and in a timely manner.

Strengthening Education

37. Action agenda acknowledges that while the Right to Education Act promised a special focus on admission and retention of children with disabilities, the situation has not seen a major improvement. An NCERT study³² found that disabled children in schools across states still face serious infrastructure and pedagogy handicaps. These challenges include absence of ramps and disabled friendly toilets as well as special teaching materials and sensitized teachers.
38. According to the Population Census 2011: a) among the total number of disabled persons in the country, 45 percent are illiterates. b) Only 13 percent of the disabled population has matriculation/secondary education. c) Only 5 percent are graduates and above. d) Among male disabled persons, 38 percent are illiterate. e) Among female disabled persons, 55 percent are illiterate.
39. As per the Eighth All India School Education Survey (8th AISES), with reference date 30th September 2009 and published in 2014: a) Out of all the schools in the country, only 21 percent adhere to "inclusive education" for disabled children. b) Out of those schools that adhere to "inclusive education", the proportion of primary, upper primary, secondary and higher secondary schools are 60 percent, 28 percent, 7 percent and 5 percent, respectively. c) The number of teachers who have received training of at least two weeks in inclusive education is only 1 percent out of the total number of teachers. d) Out of the total number of schools in the country, 10 percent have handrails, 44 percent have ramps, 4 percent have an adapted laboratory and 8 percent have an adapted lavatory. e) Out of the total number of schools, Braille books are available in only 7 percent. f) Over the period of time from 2002 to 2009, the number of students having hearing, orthopaedic and intellectual impairment have decreased by 4%, 68% and 16% respectively. However there was an increase of 17 percent of visually impaired students in the country.
40. Action Agenda should insist of shifting "Special Education" to Ministry of Human Resource Development (HRD). Further, the Agenda should insist on having a dedicated cell/ unit for persons with disability in the ministry. This has been a long standing demand of the disability sector to consider "special education" as part of overall education - whether in terms of human resource development, salaries or grants to schools, quality of education, etc.
41. Action Agenda should prioritize on the enforcement of 5% reservation in education and all programmes for skill development and vocational training as mandated in the RPWD Act 2016.
42. Action Agenda should have an outline to fulfill the following mandate from the RPWD act 2016: to conduct survey of school going children in every five years for identifying children with disabilities, ascertaining their special needs and the extent to which these are being met: Provided that the first survey shall be conducted within a period of two years from the date of commencement of this Act. This should encompass children with disabilities going to special schools or inclusive schools.
43. Right to Education (RTE) Act 2009 State Rules & Regulations shall be amended in lines with RPWD Act 2016. The Norms and Standards should be updated to include new disabilities.
44. All education system & educational institutions shall comply with the provisions of Chapter 3 – Education in RPWD Act 2016. All education institutions shall be made accessible which shall include accessible class rooms, laboratories, libraries, play grounds, exhibitions, extracurricular activities, study tours / outings, adapted games, adapted teaching / learning sessions, usage of accessible ICT etc. All sections of all classes shall be made accessible for children with disabilities

and not just one section of each class as mentioned in the point 22.95. Drinking water and sanitation facilities (21.47) in all schools shall be made accessible for students with disabilities. Menstrual hygiene management guidelines and other necessary hygiene education shall be made available to students with disabilities in accessible formats.

45. Teaching and learning methodology/ tools / Pedagogy, curriculum and Evaluation mechanism of students (20.6) shall be adapted to suit students / children with all disabilities and shall be age appropriate. ICT tools & research (20.11) shall include accessible devices, innovative methods of pedagogy to teach children with disabilities and other reasonable accommodations that would facilitate the learning of children with all disabilities on an equal basis with other children. All reasonable accommodations required for students with disabilities such as audio books, Braille, plain language, pictorial representation, screen reading software's, and sign language interpretation, one to one focused sessions with teachers / experts, etc. shall be ensured. Evaluation system, including the proposed technology aided adaptive examinations (20.13), in any education institution shall comply with the guidelines notified by the Office of the Chief Commissioner for Persons with Disabilities on accessibility & reasonable accommodations to be provided to persons with disabilities. Data of children, who are out of school, face different vulnerabilities and those who utilise anganwadi services (22.19, 22.20) shall be disaggregated for children with disabilities.
46. Periodic skill upgradation programs with respect to inclusive education of children with all disabilities in association with expert resource centres at State / District level shall be conducted. Further, periodic review of the performance of all teachers with respect to their intervention with children with disabilities shall be executed along with hands on brief training by experts in special education sector.
47. School education Quality Index (20.8) shall track the practice of inclusion of students of disability, innovative reasonable accommodation measures for students with disabilities in the education system along with the practice of traditional disability accommodations / disabled friendly teaching learning methodologies and its outcome.
48. Higher Education (20.22) shall ensure enforcement of the 5% reservation and Inclusion, accessibility and reasonable accommodations for students / research scholars / faculty members with disabilities in all its Institutions, curriculum, projects, products and services.

Enhancing employment opportunities for persons with disabilities

49. According to Population Census 2011, of the total population of persons with disability, only 26% constitute the working population. Among the working population with disability, 78% are males. There is greater unemployment among women with disabilities. Further, it is estimated that 80% of people with disability live in poverty. Further, according to the Ministry of Labour and Employment, more than 90% of the workforce in the labour market is in the unorganised sector. Thus, employment for the unorganised sector especially in rural areas requires a specific focus.
50. The government aims to bring about significant reforms to the Labour laws. The Rights of Persons with Disability Act 2016 and UNCRPD prohibits any sort of discrimination to persons with disability. In the next three year, NITI Aayog in association with DEPWD and the Ministry of Labour should undertake a consultation to ensure that the rights of persons with disability are not compromised and the new labour laws are in harmony with RPD Act, UNCRPD, and ILO Code of practice 2002 – Managing disability at work place^{vi}. At the same time, there should be adequate representation of persons with disabilities in all working committees set up by in this regards. Further the upcoming Vision and Strategy document should have a specific provision to address the needs of persons with disabilities in the labour law.

51. The Action agenda mentions that the 3% vacancy reservation for persons with disability must be implemented. The RPD Act has increased the reservation for persons with disability in all government sector from 3% to 4%. This change needs to be appropriately reflected in the agenda, strategy and vision document.
52. Further, the three year agenda does not provide any strategy or actionable on how to fill the 3% (now 4%) reservation. There have been significant backlogs in the past for which Supreme Court has directed Department of Personnel and Training (Dot) to expedite the filling of these vacancies^{vii}. There are also reports of this reservation not being filled at various states such as Kerala^{viii}. This is a matter of great concern and must be addressed in three year agenda and the subsequent strategy and vision document. At the same time, guidelines must be issued to ensure that such backlogs are not created in future, and there is more stringent compliance for the same.
53. The 'identification of jobs' is a major concern. Many jobs remain 'unidentified' for persons with disabilities because many departments and institutions identify white collared jobs based on physical conditions such as bending, lifting, walking, and pushing/pulling, etc. and not on skills and functions of the job! Jobs are identified based on the physical conditions: people with say One Arm (OA), Both Arms (BA), One Leg (OL), Both Legs (BL), Hard of Hearing (HH), Blind (B), Low Vision (LV), etc. Traditionally,, it does not take into account the use of assistive devices and accommodations. One person with disability who had cleared the Civil Services Examination in 2010 was allotted the Indian Revenue Service but she was stopped from joining because authorities cited her "inability to push, pull and lift". She had to file a case in the Tribunal for justice. NITI Aayog should invite a consultation to abolish the practice of identifying jobs for persons with disabilities, all jobs should be opened up for persons with disabilities. In case a Department wants an exemption for a particular job for a particular type with disability, it should apply for it. An Expert Committee, including representatives from Disabled Peoples' Organisations (DPOs) should be formed to examine such applications for exemptions.
54. While the consultation for abolishment of job-identification is undertaken, there should be an immediate review of the jobs identified under the provision of the new RPWD Act where the number of disabilities has increased from 7 to 21. The Act mandates that the list of identified jobs for persons with disability must be reviewed every three years. There should be representation of persons with disability and experts in all review committees for the recruitment of persons with disabilities.
55. As government is a major investor in Public Private Partnerships (PPP), we recommend that all organizations and institutions established under these arrangements should also be included in the ambit of 5% vacancy reservation for persons with disability as required by the RPWD Act 2016. All sectors (Power, Highways, Telecommunication, Airports, Ports, and Finances) shall employ persons with disabilities actively. All procedures, services, dispute resolution mechanisms & documentation pertaining to PPPs shall comply universal design standards.
56. The number of placements of people with disabilities by Employment Exchanges has been steadily declining over the years. It was 4,200 in 1999; 3700 in 2008 and only 2100 in 2012, while the total number of placements of non-disabled people by the Exchanges has increased from 1, 77,700 in 2000 to 3,04,900 in 2008 and to 4,27, 600 in 2012. As on December 2013, there were 40 "Special Employment Exchanges for physically handicapped" and 38 "Special Cells" and the total number of Employment Exchanges in the country is 978. The functioning of these exchanges for the benefit for people with disability leaves a lot to be desired. There is an urgent need to revamp these Employment Exchanges (regular, professional and special) across the country to make them effective, inclusive and barrier-free for persons with disabilities.

57. Introduce posts like sign language interpreters, career counsellors, job coaches, auditors for physical access and website access in Government offices, Municipalities, etc. Identify the human resource needs and conduct trainings (short and long term) – Specific trainings for placement officers, trainers in VRCs/ITIs etc., computer trainers, counsellors, access auditors, officers in charge of income generation and poverty alleviation Schemes, etc.
58. All relevant ministries engaged in skill development and employment generation such as Ministry of Labour and Employment, Ministry of Skill development & Entrepreneurship, Ministry of Rural Development should have a dedicated Disability Cell to implement and monitor the inclusivity, accessibility and reach of all initiatives to persons with disabilities. This will ensure inclusion of persons with disabilities in all its programs by way of coordination, monitoring and data disaggregation. . All Skill development programs (20.35), apprenticeship programs (20.38) and National cultural skill mapping (20.46) and measures shall be accessible and inclusive for persons with disabilities (8.7 – 8.16). National Skill Development Agency and National Skill Development Corporation shall have expert members with disabilities... The skill development programme under NRLM, RSETI, DDU-GKY, NULM, etc. should ensure persons with disabilities are trained both in inclusive set up as well as through focused drive, particularly for people with developmental disabilities.
59. Vocational training provided to persons with disabilities (22.96), in the technical centres shall include persons with intellectual disabilities on an equal basis with others. Dignified placements shall be worked out after successful trainings. Data shall be maintained on the training and placement details of all trainees with disabilities.
60. All 5 key components under the Deen dayal Antyodaya Yojana – National Urban Livelihood mission (7.13) shall be in compliance with RPWD ACT 2016 and shall include persons with disabilities at the decision making / planning levels to ensure dignified and accessible livelihood for persons with disabilities.
61. The RPWD Act 2016 mandates the government to create awareness and incentivize the private sector for employment of persons with disability. The agenda document has no mention of such incentives or plan for increase employment for persons with disability. To promote employment in the private sector, government should introduce a tax rebate/incentive scheme that could support accommodation/adjustments (for creating accessibility in the workplace, assistive technologies, devices, personal attendants, salaries of job coaches, transport, salary reimbursement, on-the-job training, etc.)
62. The sun-shine sector of India's economy such as in the manufacturing sectors (6.23) like electronics, food processing etc. & services sectors (6.49) such as financial services, IT, And IT enabled services, retail, real estate, pharmaceuticals & tourism etc. shall include / employ persons with disabilities along with appropriate training, work space, reasonable accommodations, loans / subsidies, setting up of own employment ventures, etc. All these sectors shall follow accessible procurement policy as well as accessible services to clients with disabilities. Each sector shall include persons with disabilities at the decision making level to evolve inclusive skill development & work policy.
63. One of the important programs included in the agenda is the proposal of development of world class Coastal Employment zones (including bonded free trade zones, ware houses etc.). All new development for these projects must ensure that it adheres to the accessibility guidelines for the built-environment and digital interfaces. These should also have provisions to include training and employment opportunities for persons with disabilities coupled with facilitations / reasonable accommodation measures.
64. The Employment and Unemployment Surveys of the National Sample Survey (NSS) are primary sources of data on various indicators of the labour force at National and State levels. These

surveys are conducted regularly to assess the employment-unemployment level across the country. In fact there is an inherent assumption in the questionnaire that people with disabilities are incapable of working. The only reference to disability that can be found on the questionnaire is under the 'out of the labour force' classification, where disability is cited as one of the reasons for being out of the labour force. ix

65. MG-NREGA: According to the NREGA Operational Guidelines 2008, "If a rural disabled person applies for work, work suitable to his/her ability and qualification, it will have to be given. This may also be in the form of services that are identified as integral to the programme". As per the data available on the website, the total number of people employed under NREGA, only 0.63 percent were people with disabilities in the year 2015-16. There is no other relevant data either on the number of people with disabilities who registered for employment, the average person days worked, the gender/disability break up, and so on. Though NREGA data claims that people with disabilities are being provided employment opportunities, but in reality it may not be happening. A study conducted by All India Confederation of the Blind (AICB) had revealed that majority of the blind people who got employment under the NREGA were not actually blind! The study was conducted in Punjab, Rajasthan, Karnataka, Tamil Nadu, Gujarat, Haryana and Chhattisgarh. In Punjab, of the 602 blind persons, the study found none of them to be visually impaired. Similarly, in Putter block of Karnataka, 43 persons reported to be blind as per official information however, were found to be fully sighted. The same story was found across all the States surveyed^x. A similar effort was made by an NGO in Karnataka to study the kind of jobs being done by people with disabilities under NREGA based on the data given on the Government of Karnataka's website. When they visited the Gram Panchayat, it was told to them that the data of disability was not available as it is not mentioned in the job card! They could not figure out as to where these numbers present? on the website. Their study also indicated that 82% of people with disabilities were in the age group of 18-60 years. Among them, only 34% were employed and the remaining said that there were no job opportunities for them in their villages^{xi}. The Action Agenda should have a provision of conducting Disability Audit of NREGA, NULM and NRLM to identify the gaps and suggest strategies to improve on fulfilment of the mandate for persons with disabilities. Since NREGA is a demand driven Scheme, raising awareness on the rights of persons with disabilities under the Scheme becomes crucial.
66. Agriculture markets (5.11) & agriculture commodities (5.23) including tele / electronic systems shall be accessible / available at ease to persons with disabilities. Persons with disabilities shall be provided specialised opportunity to work in agriculture markets including e markets as well as in high value commodities (5.25/ 5.26) such as horticulture, animal husbandry, etc.

Built-environment

67. The disability sector appreciates the three year Action agenda which has a target of 10,000 government buildings and 75% of buildings in the private sector to become fully accessible. It also want to ensure accessibility for 75% of government owned public transport and 50% of privately owned transport. Further, it also targets to ensure the accessibility for all international and domestic airports as well as railway stations within the three-year timeframe. However, there is no path provided neither in the sections on persons with disability nor in the relevant sections discussed under urban development, smart cities, transportation etc.
68. The RPWD Act 2016 has the following stringent provisions: No establishment shall be granted permission to build any structure if the Mandatory building plan does not adhere to the rules formulated by the Central Government under observance of accessibility. Further, it requires all existing public buildings shall be made accessible in accordance with the Time limit for making rules formulated by the Central Government within a period not exceeding five years. No

establishment shall be issued a certificate of completion or allowed to take occupation of a building unless it has adhered to the rules formulated by the Central Government. Action Agenda must have guidelines to strictly enforce this provisions of the Act.

69. The recent experience of the Accessible India Campaign has not been very encouraging. The campaign had the following targets: Conducting accessibility audit of at least 25 most important government buildings and converting them into fully accessible buildings by July 2016 in the 24 cities. Converting 50% of all the government buildings of National Capital and all the State capitals into fully accessible buildings by July 2018. Conducting audit of 50% of government buildings and converting them into fully accessible buildings in 10 most important cities / towns of all the States by July 2019. However, the progress across all these targets have been extremely slow and the governments not even half-way through for the set targets after 18 months of launch by the Prime Minister Modi.
70. The three year Action agenda needs to have a path for the state governments to expedite action on the access audit reports submitted under the Accessible India Campaign on priority and also have a roadmap of creating other buildings in their direct purview accessible. According to a report published by the Economic Times on May 13, 2017: as per statistics provided by the department of empowerment of persons with disabilities (DEPWD), out of the 1653 buildings audited by access auditors, state governments have sent proposals for only 647 buildings. As many as 12 cities have not sent even a single proposal. These include Ahmedabad, Hyderabad, Indore, Itanagar, Imphal, Ludhiana, Panaji, Port Blair, Silvassa, Puducherry, Thiruvananthapuram and Visakhapatnam. After the accessibility audits, a state government has to send proposals to DEPWD. After this, the department releases funds to retrofit buildings. However, the progress has been slow and funds have been disbursed only for 354 in 15 cities so far. The government is worried as the target for making public buildings accessible is December 2017. Though 1707 buildings have been identified, access audit has been completed in 1653 buildings. Even after that, the states have given lukewarm response to the initiative. In a recent review by the committee of secretaries under cabinet secretary P K Sinha, DEPWD secretary N S Kang briefed that the response from the states had been slow^{xii}.
71. The three year agenda mentions that guidelines and building by-laws with mandatory provisions for accessibility should be formulated. India launched the revised National Building Code 2016 on 15th March 2017, by the Bureau of Indian Standards (BIS), Department of Consumers Affairs, Ministry of Consumer Affairs, and Food & Public Distribution. Part 3, Development Control Rules and General Building Requirements has detailed Accessibility Standards for Persons with Disabilities in Clause 13, 'Requirements for Accessibility in Built environment for Elders and Persons with Disabilities' and Annexure B: Anthropometrics and Requirements for Accessibility in Built environment for Elders and Persons with Disabilities^{xiii}. Further there is a Harmonised Guidelines on accessible spaces in built environment released by the Urban development Ministry and ISO 21542:2011 standards for Building construction -- Accessibility and usability of the built environment^{xiv}. The DEPWD and NITI Aayog should adopt these standards and should not engage in any other formulation of further guidelines. The need of the hour is to promote and enforce these standards and guidelines.
72. There is a large scale need of creating skill workforce who can audit, design, develop and retrofit buildings, public places including public toilets, offices, airports, railway stations, bus-stands etc. to become accessible. 'Accessibility of built-environment' should be identified as a core skill and should be included in the various skill development programs across the nation. Further, accessibility of physical built-environment should be made a compulsory subject in higher education and courses related to architecture, interior design, civil engineering etc. Students

should be encouraged to take specialization and advance researches and studies in accessibility of physical built-environment.

73. In the next three years, government aims to allocate significant resources to the Prime Minister Modi's ambitious project - Pradhan Mantri Awas Yojana that aims to provide housing for all (both in urban and rural areas). It is imperative that all residential complexes, with no exception, adhere to the accessibility standards for built-environment as mentioned in the NBC. Also, there is a need to ensure that not less than 5% allocation of houses are made for persons with disabilities (7.7). Further, necessary Subsidies and financial support may be provided to persons with disabilities to avail the benefit of scheme. At the same time, all residential complexes to be developed as a part of the Coastal Employment Zones (6.17), for the work-force should be accessible and follow the principles of universal design.
74. Smart cities mission (7.10) should identify persons with disability as a core stakeholder and shall pro-actively engage with them in all its planning and implementation stages. The mission shall ensure all the deliverables in all 100 cities that are to be converted into smart cities to be in compliance with RPWD Act 2016 and adhere to the guidelines for accessibility for built-environment and Information technology.
75. Under the Atal Mission for Rejuvenation and Urban Transformation (AMRUT), (7.4) 500 Mission cities are to develop 200 parks with elderly and children friendly features. All of these 500 facilities should also adhere to the accessibility standards for persons with disabilities. Further, under AMRUT, the Centre has allocated a total of INR. 50,000 Crore over a five-year period from 2015-16 to 2019-20 (7.6). Apex committees of AMRUT (7.8), shall include Persons with Disabilities and shall approve all State annual action plans only if in compliance with RPWD ACT 2016 and Universal design standards. The Eleven point Urban sector reform agenda must be reviewed and shall be made compliant with RPWD ACT 2016 & Universal Accessibility standards. States Urban local bodies ULBs shall include persons with disabilities. 7.9 ULBS' offices as well as e-governance shall be accessible for persons with disabilities.
76. Accessible tourism. The government plans to develop Five Beach Destinations as Tourism Zones (6.45), five world class tourism circuits (6.46) and university for leadership in the tourism sector (6.47) in the Action Agenda. All such tourist destinations and institutions must be made accessible. World class accessibility consultants must be engaged to study the experience and audit to ensure for a seamless and accessible experience for tourists with disabilities and senior citizens. National Museum Authority (6.75) must undertake a focused initiative to make all the museums accessible for persons with disabilities. Most museums do not have basic accessibility features such as a ramp, accessible toilets etc. Further, preserving & Restoring the heritage and culture of cities (7.14) shall involve accessibility consultants and ensure accessibility of spaces for persons with disabilities.
77. Disability sector appreciates the Action Agenda provisions under Swachh Bharat Mission, where it highlights that special attention should be paid to addressing inequalities with respect to sanitation access for Persons with disabilities (differently abled). We recommend that the Swachh Bharat Mission (Both Urban and rural) should identify persons with disabilities as a core stakeholder. They shall be included in decision making levels, program implementation and SBM ambassadors. SBM would ensure that all public or community toilet built as a part of this program have at least one uni-sex accessible toilet. SBM shall educate persons with disabilities in the locality about its activities, the requirement for the same and the need for people's participation in accessible formats. Periodic checks and audits by government and non-government assessors should check on the validity of construction of accessible/ disabled friendly toilets. They should be oriented on relevant standards for accessible toilets.

78. Drinking water and sanitation facilities (8.21 – 8.26) shall be made available and accessible to all persons with disabilities living in rural areas. Disaggregate data on accessible drinking water and sanitation facilities that are available to persons with disabilities in each block and reach. All associated information must be made available in accessible formats. Awareness campaigns and programs such as swachta doots shall be inclusive of persons with disability and address their accessibility needs.
79. All 300 Rurban clusters (8.35 - 8.36) shall be made accessible for persons with disabilities under the National Rurban Mission. State nodal agencies, project management units and cluster level committees at State / district level shall include persons with disabilities as members and shall ensure accessibility and inclusion of persons with disabilities at all levels of planning and implementation.
80. All Panchayat offices 8.37 shall be accessible for persons with disabilities as per universal accessibility standards. All panchayats shall have persons with disabilities as members as well as involve local persons with disabilities effectively in development dialogues & local activities.
81. All developmental activities undertaken in the north eastern regions, coastal areas, north Himalayan states, Deserts & Drought prone areas shall include persons with disabilities including in their infrastructure development, networking with neighbouring states / countries, transport system, trading, industries, horticulture, floriculture, animal husbandry, eco-tourism, handicrafts, promoting culture based / local resource based / alternate livelihood, power generation, digital connectivity, inter regional aviation hub, river connectivity, research centres in universities, etc. (9.4) shall be accessible and inclusive for persons with disabilities. Public private partnership shall involve persons with disabilities. Development proposals submitted by coastal regions and islands and other regions should incorporate the element of accessibility and inclusion of persons with disabilities living in these areas.

Transportation

82. The RPWD Act 2016 has the following provisions for providing transportation: (1) the appropriate Government shall take suitable measures to provide, — Access to transport. (a) facilities for persons with disabilities at bus stops, railway stations and airports conforming to the accessibility standards relating to parking spaces, toilets, ticketing counters and ticketing machines; (b) access to all modes of transport in compliance with design standards, including retrofitting old modes of transport, wherever technically feasible and safe for persons with disabilities, economically viable and without entailing major structural changes in design; (c) accessible roads to address mobility necessary for persons with disabilities.
83. The three year agenda document has a target of making 75% of government owned public transport accessible for persons with disabilities. Further, it also targets to ensure the accessibility for all international and domestic airports as well as railway stations within the three-year timeframe. This is a welcome move. However, there were similar targets in Accessible India Campaign which have seen little progress since its launch after 18 months. Accessible India Campaign had a target of conducting accessibility audit of all the international airports and converting them into fully accessible international airports by July 2016. Conducting accessibility audit of all the domestic airports and converting them into fully accessible airports by March 2018. Ensuring that A1, A & B categories of railway stations in the country are converted into fully accessible railway stations by July 2016. Ensuring that 50% of railway stations in the country are converted into fully accessible railway stations by March 2018. Ensuring that 25% of Government owned public transport carriers in the country are converted into fully accessible carriers by March 2018^{xv}.

84. There was seldom any mention of accessibility in the chapter that discussed transportation in the three year Action Agenda. This can't be achieved in silos by NITI Aayog and DEPWD. It is important that a cross ministerial task force is set up which is led by NITI Aayog and DEPWD and has representation from civil society. The special task force should create a detail plan with articulate milestones and appropriate budget allocations. Also, all future procurement of public transportation should have accessibility as a non-negotiable requirement. The Increased allocation for roads & railways capital expenditure (4.73) should assert accessible procurement policy and have provisions of making infrastructure accessible.
85. The Action agenda has a target of making 50% of privately owned transport accessible. There is need for an elaboration on how this would be achieved. How would the private sector be motivated? NITI Aayog and other relevant ministries and department should have a combination of policies and regulations mandating them to make it accessible on one hand, and incentivizing them to become accessible on the other. In absence of such carrot and stick policy, this target will be hard to reach.
86. Accessibility consultants must be engaged for Intermodal connectivity designs (10.51) for each mode of transport system to ensure specific accessibility for persons with disabilities from start to end point. Further, 10.52 integrated transport & logistic framework to be adopted by MoRT shall ensure accessibility of infrastructure and services to persons with disabilities / senior citizens.
87. All overarching regulatory bodies such as Rail Development Authority (RDA), Director General of Civil Aviation, that would oversee various modes of transport shall be oriented on the needs and demand of passengers with disability. The regulator shall ensure accessibility across all form of transport system for persons with disabilities as well as senior citizens in lines with Universal design standards. They will formulate stringent Rules/guidelines to protect the rights, dignity and independence of passengers with disability. Dignified treatment of passengers with disabilities shall be strictly enforced. They shall also ensure disaggregated data is captured and reported on various parameters such as passenger traffic, accessible physical and digital infrastructure, complaints from passengers with disabilities, procurement of accessible products, services (including technology) in different modes of transport systems.
88. Road safety rules amendments (10.11) shall include penal measures for usage of disabled friendly pavements by vehicles. It should also consider exempting or subsidizing toll charges for a vehicle driven or travelled by a passenger with disability. Road safety board (10.12) shall constitute experts and consultants with strong understanding on accessibility and requirements of persons with disability, in addition to representation from members with disabilities. At the same time, helpline for Road safety should be easy to use and accessible for persons with any impairments.
89. All new roads to be constructed (10.5) should have the necessary accessibility features such as accessible pavements, kerb ramps, tactile signs, signage's, audio announcements and stop shelters for pedestrians with disabilities and senior citizens. Further, the three year agenda should outline a roadmap to retrofit the current road infrastructure to be made accessible on a mission mode. Further, road connectivity under PMGSY scheme and its social audits (8.30) shall include the component of accessibility as per universal design standards. State level standing committees shall include persons with disabilities for planning and implementation.
90. All airports and air carriers (10.50) shall comply with universal design standards in all their facilities and services. Infrastructure procurement / development in the Civil Aviation sector (10.41) shall ensure accessibility based on universal design standards, especially all silent terminals at airports shall be made accessible for persons with visual impairments. Technologies including kiosk, mobile apps, websites, information boards, shall comply with WCAG 2.0 AA

standards. The Action Agenda could take an inspiration from the recently amended Air Carrier Access Act in the USA. In 2013, it provided new rules requiring all domestic and foreign air carriers to have accessible websites and kiosks. By December 12, 2015 the core functionality of all Air Carrier's websites needed to be accessible, by December 12, 2016 the remaining web pages are required to be accessible^{xvi}. Such an approach could also be extended to other form of transportation in the country.

91. it is reported that efforts have been made to make certain categories of railway stations disabled friendly. However, an access audit of two of the "renovated" stations revealed that they continue to be inaccessible for persons with disabilities.^{xvii} Another major issue is the inaccessibility of coaches which has not been addressed so far. Recently, a girl with disability sent a petition to the Prime Minister, which went viral on the social media, stating that she was "groped by porters" while she was being assisted into the train and demanded that entry into trains be made accessible. There has been no effort to look into the matter as per the media report.^{xviii}
92. All Railway stations including metro (10.25), the trains (10.24) including high speed / semi high speed trains, all coaches, toilets / bio toilets and services (10.22) including automatic ticket vending machines, grievance redressal systems, mobile apps etc. shall be made accessible to ensure better service for passengers with disabilities and senior citizens. 10.19 procurement and development of accessible rail infrastructure shall be ensured. 10.28 New Technologies on safety shall be accessible for passengers with disabilities. 10.29 Exclusive safety parameters shall be evolved, implemented and monitored for passengers with disabilities, women and senior citizens.
93. All upcoming 20 new ports in Brahmaputra & Barak Rivers (10.40) shall be accessible as per universal accessibility standards. In addition, there should be a plan to retrofit all existing ports and make them accessible across the country. Infrastructure including vessels procured & developed in shipping & ports (10.31) shall comply universal design standards.
94. All city's transportation master plan should be made inclusive. All form of city -transport buses, metros, mono-rail, trams, etc. must comply to highest accessibility standards. Taxi services including the app-based taxi aggregators must have a part of their fleet accessible and their apps, website and contact centre must be accessible and sensitive to passengers with disabilities.

Accessibility of digital / virtual environment

95. The section on improving accessibility is completely oblivion of digital accessibility for persons with disabilities. There was no mention of the same in the digital India section. This is despite of the fact that PM Modi dreams of a future India as Digital India, accessibility being at the heart of the new RPWD Act and the various proven case-studies and use-case scenarios that demonstrates the role of technology in removing barriers encountered by persons with disabilities.
96. Accessible India Campaign had an ambitious target of conducting accessibility audit of 50% of all government websites and all public documents (both Central and State Governments) and converting them into fully accessible websites and documents by March 2017^{xix}. However, the implementation of the same has been extremely poor after 18 months and the passage of the RPWD Act 2016. There is no mention of the same neither in the section for persons with disability nor in the digital India chapter of the Action agenda. According to a media report, only 38 of 7,000 government websites are disabled-friendly, as on 24 June 2016. Disability activists has raised concerns on important documents such as the Three Year Action Agenda, Draft Rules on the Rights of Persons with Disability Act 2016 etc. continued to be released by various

departments in inaccessible formats. There is an urgent need to create an action plan on ensuring digital accessibility of all government websites and documents from state and central level. This plan should be developed in collaboration with NIC, Ministry of Information and Broadcasting, DEPWD, NITI Aayog, State IT departments, and civil society, with NIC taking the lead and nodal department having the ownership of ensuring accessibility for the same. The three year framework should ensure that all websites are made compliant to WCAG 2.0 AA standards. Further there should also be quality checklist developed to ensure that all future websites, apps and documents from GOI and state governments are only released in accessible formats.

97. All Laws, rules, policies and guidelines related to Information & Communication Technology including ITA & Data protection laws (11.4) and E office mission mode project shall be amended in compliance with universal design standards. National E Governance Plan NeGP shall be amended in lines with RPWD ACT and Universal design standards. All aspects of E Governance (11.18) including infrastructure, websites portals and all e services from Centre to Panchayat level shall be made accessible for persons with all disabilities. Further, NITI Aayog or NIC or DEPWD shall create a portal for persons with disabilities to register complains on inaccessibility of web-portals, documents and digital services and shall have a process to resolve any such issues within a time bound manner. There shall be specific (disaggregated) data on the accessible websites and all online, digital and other e-services.
98. Guidelines for Indian Government Websites (GIGW) ^{xx}needs to be updated and should have clear provisions for document accessibility. National Informatics Centre (NIC) should create a tool which will check document accessibility before it's uploaded.
99. All new and existing digital financial services and products such as digital -money, e-wallets etc. (11.15 – 11.17) shall be made accessible for persons with disabilities as per WCAG 2.0 standards. Prime Minister launched the BHIM app on December 31, 2017 with a view to foster financial inclusion and increase adoption of digital money. Unfortunately, BHIM too was launched without the check for digital accessibility and turned out to be not inclusive of persons with disability^{xxi}. RBI also in its push for digital money has granted licenses to several payments banks. RBI should issue stringent guidelines to ensure accessibility of their digital payment interfaces without which the licenses could be repealed. Further, awareness on the same shall be provided to citizens with disabilities in accessible formats. There is a need of creating skilled workforce who can audit, develop and retrofit websites, documents, apps, and other digital interfaces to become accessible. Hence, digital accessibility should be included in the various skill development programs across the nation. The three year agenda should have a program with specific targets on creating number of skilled workforce on digital accessibility. Digital accessibility should be made a compulsory subject in technical education including BE, B. Tech, B. SC in computer science, etc. Students should be encouraged to take digital specialization stream and further there should be options of doing advance study in digital accessibility. NITI Aayog should call for a consultation on the same along with the Ministry of HRD, UGC, AICT, Universities and create a roadmap for implementation in the next three years.
100. Aadhar which is pegged as the window for digital India must also take a serious note of the needs and challenges of persons with disabilities. The e-Aadhar card is not accessible for people with print disabilities. Acquiring & usage of Adhar cards, shall be made accessible for people with all disabilities. The website to download e-aadhar can't be independently operated by persons with visual impairment. It has a picture verification process that is not accessible with screen readers and does not provide for an alternate method of audio-capture. Reasonable accommodations shall be provided where ever necessary in the process. Alternate to Biometrics authentication should be created and accessible for persons with disabilities who find it difficult

- to operate the same. Local E service Centres shall be accessible for persons with disabilities. Education on E Governance shall be imparted to persons with disabilities in accessible formats,
101. The Government is increasingly engaging with citizens through technology but most government websites, for example, MyGov, e-Patshala, IRCTC, were found to be inaccessible based on a study conducted recently by the Centre for Internet and Society (CIS). Digital India and the Three year Action Agenda mentions a host of new and existing government services that are expected to be digitized. This includes: electronic-National Agricultural Market (e-NAM) (5.11), digitization and updating of land ownership records across the rural and urban locations, GARV, the Dashboard / mobile app with respect to rural data, PMGDISHA (8.34), E office (of ministries) promoted by DARPG (11.22), e-education, e-health, E sign, digital lockers (11.24), national scholarship portal, attendance.gov.in, Swachh Bharat Mission (SBM) Mobile app, MyGov.in etc. All such digital initiatives shall adhere to the Web Content Accessibility (WCAG) 2.0 AA standards.
 102. Action Agenda should encourage the Smart City initiative in India to adopt and strictly enforce the Smart Cities for All Toolkit developed by Global Initiative for Inclusive ICTs (G3ict) and World Enabled. The toolkit contains four tools to help Smart Cities worldwide include a focus on ICT accessibility and the digital inclusion of persons with disabilities and older persons. The toolkit supports a range of organizations and roles related to Smart Cities, including government managers, policy makers, IT professionals, disability advocates, procurement officials, technology suppliers, and developers who design Smart City apps and solutions. Each of the tools addresses a priority challenge identified by global experts as a barrier to the digital inclusion of persons with disabilities and older persons in Smart Cities. The four tools are: 1) Smart Cities for All: Guide to Implementing Priority ICT Accessibility Standards, 2) Smart Cities for All: Guide to Adopting an ICT Accessibility Procurement Policy, 3) Smart Cities for All: Communicating the Case for Stronger Commitment to Digital Inclusion in Cities and 4) Smart Cities for All: Database of Solutions for Digital Inclusion in Cities (Alpha version)^{xxii}
 103. The Smart City and Digital India initiative should take inspiration from Reserve Bank of India (RBI) that mandated to install only accessible ATMs for every new installation after July 1, 2014^{xxiii}. Similarly, a large number of information and services would be delivered through tablets, kiosk and vending machines. All such installations must be standardized and be packed with accessibility features. These should be installed in accessible locations.
 104. With Digital India, the Government of India hopes to achieve growth on multiple fronts. It aims to target nine 'Pillars of the Digital India' that they identify as being: 1. Broadband Highway; 2. Universal access to Internet; 3. Public Internet Access Programme; 4. e-Governance – Reforming Government through Technology; 5. e-Kranti - Electronic delivery of services; 6. Information for All; 7. Electronics Manufacturing; 8. IT for Jobs and; 9. Early Harvest. All the pillars of digital India (11.3) shall be made inclusive and accessible for persons with disabilities. The Digital India should have dedicated representation to ensure accessibility across all the 9 pillars. Strict provisions should be made to ensure accessible procurement and follow inclusive and universal design principles. Citizens with disabilities shall be educated about the usage of digital services and facilitated with opportunities for participative governance through digital means in accessible formats.
 105. Digital accessibility should also include content deliver through audio-video formats through television, internet, mobile solutions etc. It is imperative that all content producers and distribution channels like television channels make their content accessible. All content must have the provisions with audio-description, sub-title, captioning etc. All news channels have at least one hour of news telecast with sign-language interpreters on a daily basis.

Finance, tax and Administration:

106. Amartya Sen made a distinction between two types of economic costs, or what he called 'handicaps', that tend to be associated with disability. First, according to Sen, individuals with disabilities face lower human capital accumulation (e.g. education) possibilities, are less likely to be employed, and even if employed are likely to have lower earnings. This he called an 'earnings handicap'. Second, because individuals with disabilities tend to have extra needs, they face greater difficulties in achieving economic well-being from a given level of resources, i.e. they face what Sen called a 'conversion handicap'. Together these two types of economic costs have very significant implications for the economic situation of the disabled population and their families. Further, a study in the United Kingdom found that the poverty rate for disabled people was 23 percent compared to 18 percent for non-disabled people, but when extra expenses associated with being disabled were considered, the poverty rate for people with disabilities increased to 47%^{xxiv}.
107. Section 24. (1) of the RPWD Act says: The appropriate Government shall within the limit of its economic capacity and development formulate necessary schemes and programmes to safeguard and promote the right of persons with disabilities for adequate standard of living to enable them to live independently or in the community: Provided that the quantum of assistance to the persons with disabilities under such schemes and programmes shall be at least twenty-five per cent higher than the similar schemes applicable to others.
108. The current exemptions provided in the Income Tax and the disability pensions/unemployment allowances under various schemes are inadequate to address these issues. In this context, NITI Aayog should undertake a study on the evidence on these costs in India and discuss their implications for poverty, deprivation, economic hardship and social exclusion encountered by persons with disabilities. Disability maintenance allowance and Poverty ceiling of persons with disabilities shall be worked out considering the fact the huge amount of expenses incurred by persons with disability to get access to additional services such as payment towards accessible transportation, personal assistant, lack of health insurance, assumed lack of legal capacity to enter into contracts towards ones evolution etc. The Income Tax exemptions (Sec 80u and Sec 80d) should also be appropriately revised.
109. The increase in indirect taxes would pose a burden to all people belonging to persons with disability. Persons with disabilities who depend on disability allowance or those who spend disability additional cost in terms of accessible transport etc. will be directly burdened by rise in indirect taxes. all aids and appliances, assistive products/services including hardware, software or even mainstream computers and mobiles used by persons with disabilities to improve accessibility and independent living and medicines (consumed repeatedly), diagnostic equipment's and medical treatment for health disabilities / disabling medical conditions including those coming under specified disabilities of RPWD Act 2016 must be exempted from being taxed in GST (17.11 & 17.13) regime or be classified in the 0% tax slab. Alternatively, for mainstream products such as mobile phones and computers that may be ordinarily taxed in GST at a particular level, there must be a provision of Aadhar based cash transfer system for the reimbursement of the GST amount collected. There should be no income ceiling for reimbursement of GST amount if the good or services are being consumed by the individual with disability.
110. The RPWD Act 2016 has the following provisions: The appropriate Government shall ensure that the persons with disabilities have right, equally with others, to own or inherit property, movable or immovable, control their financial affairs and have access to bank loans, mortgages and other forms of financial credit. It is quintessential for the NITI Aayog in association with

DEPWD and Ministry of Finance undertake a consultation on the current situation for persons with disability having equal access to financial support and undertake measures to bridge the gap. In addition, persons with disability should be included across all financial schemes such as the Mudra, Start-up India etc.

111. An analysis of the spending incurred, on persons with disabilities, in the last three years (2013-14, 2014-15, 2015-16) showed that it had stagnated at 0.02 percent of the GDP.^{xxv} **The Medium-term expenditure framework MTEF (2.9 – 2.11) proposed in the Action Agenda should have adequate allocations for persons with disabilities.**
112. The share of non-development revenue expenditure like pensions & social security expenses (4.3) to fall despite their expected annual growth by 6% as mentioned in 4.3 would pose threat to social security of persons with disabilities. Care should be taken that the necessary support provided to persons with disabilities are not impacted with the decrease in budget allocations.
113. Evaluate an approach of Disability responsive Budgeting (DRB) similar to Gender-Responsive Budgeting (GRB) 22.6. According to the Action Agenda, It was adopted by India in 2005 following which at least 57 government ministries/departments set up Gender Budgeting Cells. This has been long standing demand from the disability sector that a proportion of budgets of all ministries and department should be allocated towards the welfare and needs of persons with disabilities. DRB should be used to make the entire budgetary process more responsive to challenges concerning persons with disabilities. Some of the ways in which this can be achieved is by generating disability-disaggregated data and linking to disability budgets to the outcomes.
114. Currency notes and coins must be audited for accessibility and introduce new currency notes that are accessible for persons with visual impairment. Following the demonetization, RBI introduced new notes of INR 2000 and INR 500 denominations. Although, RBI claimed that these notes had accessibility features, people with visual impairment found it extremely difficult to identify the notes^{xxvi}.
115. Tax administrative system and tax dispute mechanism (17.16), must be accessible for persons with all disabilities. A public awareness program on taxation encompassing the personal tax and GST should developed in accessible formats and easy to understand language to educate persons with disabilities and common citizens.

Emergency and risk management:

116. The Action Agenda should have a clear outline for the Ministry of Home affairs to ensure protection and security for persons with disabilities during emergency, disaster, natural calamities, war, riots etc. The RPWD Act 2016 says: the persons with disabilities shall have equal protection and safety in situations of risk, armed conflict, humanitarian emergencies and natural disasters. (2) The National Disaster Management Authority and the State Disaster Management Authority shall take appropriate measures to ensure inclusion of persons with disabilities in its disaster management activities as defined under clause (e) of section 2 of the Disaster Management Act, 2005 for the safety and protection of persons with disabilities. (3) The District Disaster Management Authority constituted under section 25 of the Disaster Management Act, 2005 shall maintain record of details of persons with disabilities in the district and take suitable measures to inform such persons of any situations of risk so as to enhance disaster preparedness. It is important that all such agencies are trained and sensitized on interacting and managing a persons with disability during distress. There should be mock-drills organized for persons with disabilities across the nation at regular intervals.
117. The planned Common Nationwide contact Centre (19.20), must be designed and developed in a manner that it is inclusive for all persons with disabilities and senior citizens as they are the most vulnerable during a time of stress and emergency. It is important that the staff at the contact Centre and the emergency response are sensitized to the needs of persons with

different disabilities. Adequate provisions must be made so that people with disabilities can easily interface with the emergency service. For example, the contact Centre must be capable to take inputs on SMS or WhatsApp messages from persons with hearing impairment. There could also be a possible dedicated sign-language interpreter available on video conference to interact with hearing impaired citizens. Further, the website and mobile apps should be easy to comprehend and must also ensure compliance to web content accessibility guidelines.

118. Further, all current and proposed helplines including Women's helpline (22.13), Child Line service (22.28) and helplines for senior citizens (22.115) shall also provide services to persons with disabilities. The staff of these helplines shall be trained to engage with persons with disabilities and understand their unique challenges. Also, evaluate if there is a need to initiate a dedicated helpline for persons with disabilities at district levels. There are a few NGOs which are operating helpdesks for persons with disabilities. It is important to evaluate their effectiveness, document their best practices and scale them up to serve at the national level. Child welfare officer (22.27) in every police station shall be sensitized on the accessibility needs and reasonable accommodations required by children with disabilities. Model guidelines for such training shall be evolved with special focus on the needs of children with disabilities.
119. Vulnerability & Risk assessment discussed in 9.35 shall include an analysis of the impact created for persons with disabilities due to natural calamities and shall be carried out in all emergency / disaster prone regions. Disaster management and risk reduction shall be worked out specifically for persons with disabilities living in these regions including sensitizing about the ways for risk reduction during such emergencies.

Health

120. Indian Public Health Standards (21.19) shall be amended in compliance with RPWD Act 2016. All persons with health disabilities included in Schedule of RPWD Act 2016 (22.102) shall be ensured quality treatment and rehabilitation measures with no discrimination. Comprehensive policy on human resource for health (21.24) shall include training of human resource with respect to education and facilitation of healthcare for persons with disabilities in the community. The upcoming National Nutrition Mission (21.34) shall be inclusive of persons with disability and address the Specific Nutritional needs of persons with all disabilities in the community. The same shall be addressed by major Nutrition programs in all districts through ASHAs, ANM, AWW, etc. (21.37) and ICDS, Village Health & Nutrition day etc. (21.38). All the above programs with respect to health and nutrition shall have disaggregate data on persons with disabilities who are benefited by their outreach.
121. All the flagship health policies/programmes of the Government of India, for example the National Rural Health Mission (NRHM), the National Urban Health Mission (NUHM), the Integrated Child Development Scheme, Janani Suraksha Yojana, Janani Shishu Suraksha Karyakaram etc., do not mention access to services for people with disabilities. As per the Study, 'Access to health care and employment status of people with disabilities in South India', people with disabilities encounter a range of barriers in accessing health care facilities including lack of information and physical barriers, inadequate personal assistance, affordability, limitations of resources and inaccessible infrastructure and non-friendly environments."
122. There is a huge dearth of health professionals who understand disability. As per the findings of a study conducted on the Right to Health of People with Disabilities in India, it was found that there was a serious lack of trained medical personnel who can offer people with disabilities timely and effective medical attention. Another study indicated a huge gap in the expectations of people with disabilities and the actual provision of services. Standard medical courses, such as MBBS and so on, do not have disability in their curricula. Physical Medicine and Rehabilitation

(PMR), which is a Masters level course that explicitly covers disability, is available in very few medical colleges in India.

123. The planned dedicated public health cadre (21.9) to be created in next 3 years shall be trained to sensitize on specific health needs for persons with disabilities including nutrition, hygiene and sanitation. Also, it should facilitate diagnosis, treatment and counselling for persons with disabilities. ASHAs at village level along with Public health cadre members (21.11) shall disseminate information on health, hygiene, nutrition and sanitation in accessible formats for persons with disabilities living in the community.
124. All Data on healthcare (21.10) should be disaggregated for all persons with disabilities. This should also include people who approach hospitals and receive treatment. This should be institutionalized with immediate effect at the district/state level. Further, Department of Health Research / Indian Council of Medical Research shall carry out research on health disabilities and all rare diseases that causes long term or short term disability 21.16 & 21.31.
125. The RPWD Act 2016 has a provision to provide a barrier-free access in all parts of Government and private hospitals and other healthcare institutions and centres. All public hospitals including 9 AIIMS, PHCs, CHCs, AYUSH Facilities, all medical universities, colleges and public hospitals in all districts shall be accessible for persons with disabilities and shall have a help desk for persons with disabilities, medical team with adequate knowledge on disabilities well trained to handle persons with disabilities and diagnostic/treatment equipment's accessible for persons with disabilities. Kayakalp award shall be linked with the facilities provided to persons with disabilities in any hospital.
126. All social security schemes to provide healthcare insurance such as ESIC must be reviewed and made inclusive of persons with disabilities. The Action Agenda should have provisions to review and update the Swavlamban - Health scheme for persons with disabilitiesxxvii. This should now be extended to all new disabilities included in the RPWD Act 2016. Further income ceiling on availing the scheme should be withdrawn and options with higher sum assured should also be introduced for families exceeding the income limit as it is very difficult for any person with disability to get health insurance policy.
127. Autonomous financial protection structures at central level (21.15) shall determine the accessible features and other facilities / services to be provided for persons with disabilities in a private hospital. Such facilities / services provided to clients with disabilities shall be reflected in Electronic Health Records. National health mission and its budget 21.20 shall incorporate a budget for accessible facilities for persons with disabilities in hospitals as well as dissemination of information on health, hygiene, nutrition and sanitation to persons with disabilities in the community in accessible formats.

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