

**MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT**  
**[Department of Empowerment of Persons with Disabilities (Divyangjan)]**

**NOTIFICATION**

New Delhi, the 4th January, 2018

**S.O. 76(E).**—Whereas the Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment, had constituted an expert committee vide order dated the 8th July, 2015 (**Annexure I**) under the chairmanship of Secretary, Department of Empowerment of Persons with Disabilities to suggest guidelines for evaluation and procedure for certification of various specified disabilities;

And whereas the expert Committee met on the 10th November, 2015 and decided that eight sub-committees in the following categories should be set up:

- (i) locomotor disability;
- (ii) visual impairment;
- (iii) hearing impairment;
- (iv) chronic neurological conditions;
- (v) persons affected with blood related disorders;
- (vi) developmental disorders;
- (vii) mental illness; and
- (viii) multiple disabilities;

And whereas the above eight sub-committees were set up by the Department of Empowerment of Persons with Disabilities vide orders dated the 21st September, 2016, the 3rd October, 2016 and the 23rd January, 2017.

And whereas the said sub-committees, after detailed deliberations, submitted their reports and these reports were examined by the expert committee headed by Secretary, Department of Empowerment of Persons with Disabilities;

And whereas the expert committee noted that the Ministry of Health and Family Welfare is the final authority to recommend guidelines on evaluation and procedure for certification of specified disabilities and accordingly the consolidated reports of all the eight sub-committees were referred to the Ministry of Health and Family Welfare for finalisation;

And whereas a meeting was held on the 11th April, 2017 under the chairmanship of Secretary, Ministry of Health and Family Welfare to consider the reports submitted by the eight sub-committees and subsequently Ministry of Health and Family Welfare conveyed their recommendations on 9th June 2017;

Now, therefore, in exercise of powers conferred by Section 56 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), the Central Government hereby notifies the guidelines for the purpose of assessing the extent of following specified disabilities in a person after having considered the recommendations of the Ministry of Health and Family Welfare as provided at **Annexure II**, namely:-

- I. locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;
- II. blindness and low-vision;
- III. deaf and hard of hearing and speech and language disability;
- IV. intellectual disability and specific learning disabilities;
- V. mental illness;
- VI. chronic neurological conditions;
- VII. haemophilia, thalassemia and sickle cell disease; and
- VIII. multiple disabilities.

2. The said guidelines for the purpose of assessing disabilities at Annexure II shall supersede the guidelines for evaluation of various disabilities and procedure for certification *vide* Government of India, Ministry of Social Justice and Empowerment notification number 16-18/97-NI I. dated the 1<sup>st</sup> June 2001 and the guidelines for evaluation and assessment of mental illness and procedure of certification *vide* Government of India, Ministry of Social Justice and Empowerment notification number 16-18/97-NI dated the 18<sup>th</sup> February 2002, except as respects things done or omitted to be done before such supersession.

**Note 1:-** In terms of Section 57 of the Rights of the Persons with Disabilities Act, 2016 (49 of 2016), the State Governments or as the case may be, Union Territory Administrators shall designate persons, having requisite qualifications and experience, as certifying authorities, who shall be competent to issue the certificate of disability and also notify the jurisdiction within which and the terms and conditions subject to which, the certifying authority shall perform its certification functions.

**Note 2:-** The Director General of Health Services, Ministry of Health and Family Welfare, Government of India shall be the final authority to decide upon cases where any controversy or doubt arises in matters relating to interpretation of the definitions or classifications or evaluation procedure regarding the said guidelines.

**Annexure I**

**File No. 16-09/2014-DD-III**

**Government of India**

**Ministry of Social Justice & Empowerment**

**Department of Empowerment of Persons with Disabilities**

**(DD-III Section)**

Paryavaran Bhawan, CGO Complex,

Lodhi Road, New Delhi

Dated the 8<sup>th</sup> July, 2015

**ORDER**

**Sub:-** Constitution of Committee to furnish guidelines for evaluation and certification of 12 newly identified disabilities in the Rights of Persons with Disabilities Bill.

It has been decided with the approval of Hon'ble Minister (SJ&E) to constitute the Expert Committee to finalise guidelines for evaluation and certification of 12 newly identified disabilities in the Rights of Persons with Disabilities Bill, 2014 with the following composition:-

- |    |   |          |
|----|---|----------|
| 1. | Secretary<br>Department of Empowerment of Persons with Disabilities,<br>Government of India | Chairman |
| 2. | Secretary<br>Ministry of Health & Family Welfare, Government of India                       | Member   |
| 3. | Director<br>All India Institute of Medical Sciences,<br>New Delhi                           | Member   |

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4.	Director General Health Services Ministry of Health & Family Welfare Nirman Bhawan, New Delhi	Member
5.	Head of Department Neurology, Safdarjung Hospital, New Delhi	Member
6.	Head of Department Psychiatry Dr Ram Manohar Lohia Hospital, New Delhi	Member
7.	Head of Department ENT Safdarjung Hospital New Delhi	Member
8.	Head of Department Hemotology Safdarjung Hospital New Delhi	Member
9.	Head of Department Ophthalmology Dr Ram Manohar Lohia Hospital New Delhi	Member
10.	Head of Department Paediatrics Safdarjung Hospital New Delhi	Member
11.	Head of Department PMR Safdarjung Hospital New Delhi	Member
12.	Director, Ali Yavar Jung National Institute for the Hearing Handicapped Mumbai	Member
13.	Director National Institute of Mentally Handicapped Manovikasnagar, Secunderabad	Member
14.	Director National Institute for Empowerment of Persons with Multiple Disabilities, Tamil Nadu	Member

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15.	Director National Institute for the Orthopedically Handicapped, Kolkata	Member
16.	Director National Institute for the Visually Handicapped, Uttarakhand	Member
17.	Director National Institute for Rehabilitation Training and Research, Cuttack	Member
18.	Director Pt Deendayal Upadhaya Institute for Physically Handicapped, New Delhi	Member
19.	Secretary, Indian Council for Medical Research	Member
20.	Joint Secretary Department of Empowerment of Persons with Disabilities, Paryavaran Bhawan, CGO Complex, New Delhi	Member
21.	Director Department of Empowerment of Persons with Disabilities, Paryavaran Bhawan, CGO Complex, New Delhi	Convener

2. The terms of reference for the Committee are as follows:-

(a) The Expert Committee shall:

- (i) review existing guidelines for evaluation and certification of various disabilities,
- (ii) formulate guidelines for evaluation of newly introduced disabilities in the RPwD Bill, 2014 and procedure for certification,
- (iii) look into the best practices of certification prevailing across the nations.

(b) The Committee may co-opt any other member.

(c) Meetings of the Committee will be held in Delhi as per the convenience of the Chairman.

(d) TA/DA will be borne by the respective organization

(e) The Committee should submit its report within 6 months.

sd/-

**(Awanish K. Awasthi)**

Joint Secretary to Govt. of India

Tel.No. 24369056

To

1. All Members of the Committee
2. PS to Minister (SJ&E)
3. PS to Secretary (DEPwD)
4. PPS to JS (DEPwD)
5. PA to Director (DEPwD)

**Guidelines for the purpose of assessing the extent of specified disability in a person included under the Rights of Persons with Disabilities Act, 2016 (49 of 2016)**

**IV. INTELLECTUAL DISABILITY**

**21. Intellectual Disability**

**21.1. Definition** - Intellectual disability, a condition characterised by significant limitation both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behaviour which covers a range of every day, social and practical skills.

**21.2. Screening:** Many of these children are on follow-up with pediatricians as developmental delay. Hence, they can be assessed by pediatricians and screened for associated co-morbidities, viz. hearing/ vision/ locomotor impairments/ epilepsy. Then these children are referred for detailed assessment. (See Figure 1)

**21.3. Diagnosis:** The screened children will be referred to Child/ clinical psychologists for Adaptive functioning and IQ testing. The tools that can be used for the same include:

- (i) Adaptive functioning: VSMS
- (ii) IQ testing: BKT/ MISIC

Based on the above the diagnosis of ID will be confirmed. Based on adaptive functioning assessment, severity scoring will be done and disability for ID charted.

**21.4. Disability calculation:** The disability calculation will be done based on VSMS score. The following will be used for disability calculation:

(i)	VSMS score 0-20: Profound	Disability-100%
(ii)	VSMS score 21-35: Severe	Disability-90%
(iii)	VSMS score 36-54: Moderate	Disability-75%
(iv)	VSMS score 55-69: Mild	Disability-50%
(v)	VSMS score 70-84: Borderline	Disability-25%

**21.5. Age for certification:** The minimum age for certification will be one (01) completed year. Children above one year and up to the age of 5 years shall be given a diagnosis as Global Developmental Delay (GDD). Children above the age of 5 years shall be given a diagnosis and certificate as Intellectual Disability.

**21.6. Medical Authority:** The Medical Superintendent or Chief Medical Officer or Civil Surgeon or any other equivalent authority as notified by the State Government shall be the head of the Medical Board. The Authority shall comprise of:

- (a) The Medical Superintendent or Chief Medical Officer or Civil Surgeon or any other equivalent authority as notified by the State Government
- (b) Pediatrician or Pediatric Neurologist (where available)/ Psychiatrist or Physician (if age >18years)
- (c) Clinical or Rehabilitation Psychologist
- (d) Psychiatrist

**21.7. Validity of Certificate:**

- (i) Temporary certificate for children less than 5 years: The certificate will be valid for maximum 3 years/ 5 years age (whichever is earlier).
- (ii) For children more than 5 years: The certificate will mention a renewal age. The certificate will have to be renewed at age of 5 years, 10 years and 18 years. The certificate issued at 18 years age will be valid lifelong.

**22. Specific Learning Disability (SLD):**

**22.1. Definition.** - "specific learning disabilities" means a heterogeneous group of conditions wherein there is a deficit in processing language, spoken or written, that may manifest itself as a difficulty to comprehend, speak, read, write, spell, or to do mathematical calculations and includes such conditions as perceptual disabilities, dyslexia, dysgraphia, dyscalculia, dyspraxia and developmental aphasia;

**22.2. Screening.-**

- (i) The teachers of the public and private school shall carry out the screening in Class III or at eight years of age, whichever is earlier. The screening test is given in Figure 2. If in the screening shows test three or more answers are in "frequently" column, then the child should be referred for further assessment.
- (ii) Every school (public and private) shall have a screening committee headed by the principal of the school.

After applying the screening test, if an anomaly is detected then, the teacher should bring it to the notice of principal and screening committee of the school. The teachers shall interview the parents to assess their involvement and motivation regarding their child's education. If the parents are motivated and screening questionnaire suggests SLD, then child should be referred for further assessment.

- (iii) The child shall be referred to pediatrician for SLD assessment by the principal of the school with the recommendations of the screening committee endorsed.

**22.3. Diagnosis:** The diagnosis will require a team approach involving a pediatrician and clinical or rehabilitation psychologist. This would involve three steps:

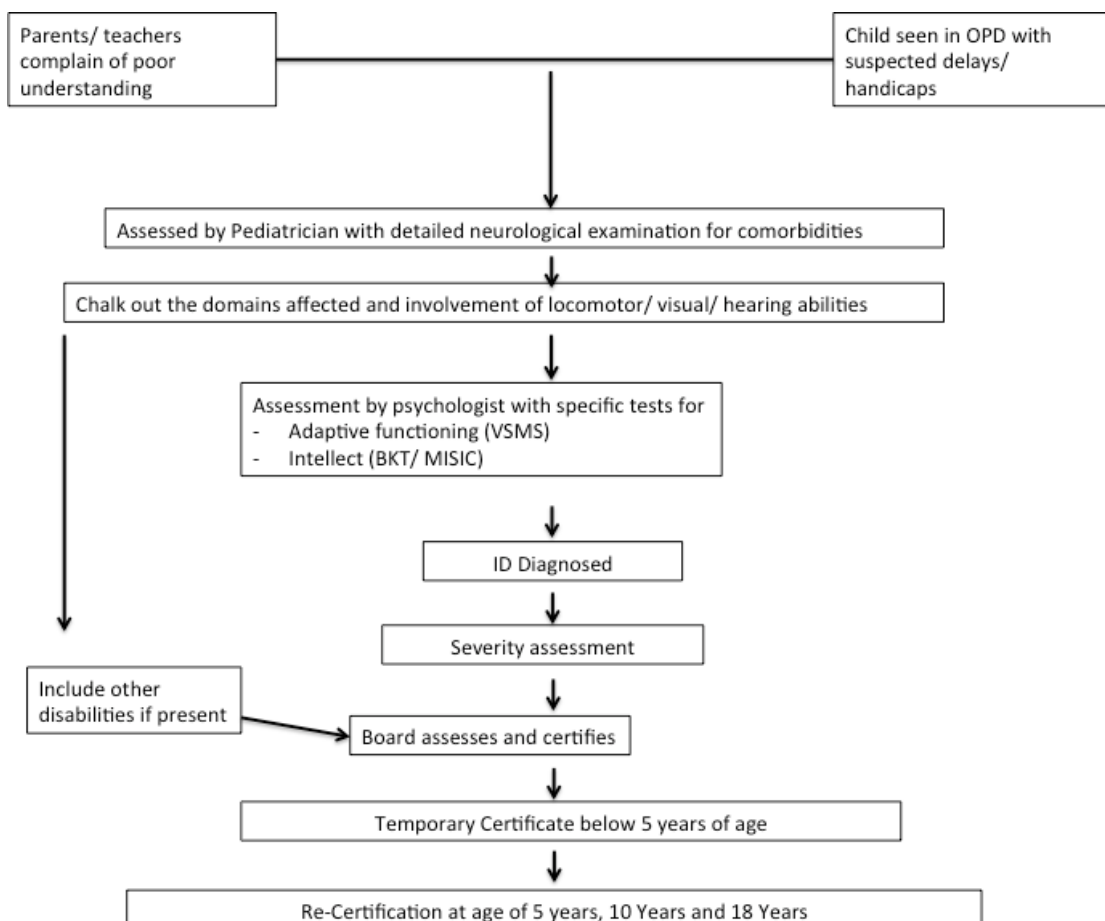
- (i) Step 1- Assessment of paediatrician: The paediatrician will do the initial assessment. This will involve a detailed neurological examination including vision and hearing assessment. It has to be ensured that the child has normal visual acuity and hearing before proceeding to next step.
- (ii) Step 2: IQ Assessment: Child/ clinical psychologist will do the IQ assessment using MISIC or WISC-III. If the IQ is determined to be >85, then step 3 will be applied.
- (iii) Step 3- SLD Assessment: This would involve application of specific psychometric tests for diagnosing SLD and giving it a severity scale.

**22.4. Diagnostic Tool** - National Institute for Mental Health and Neurosciences (NIMHANS) battery shall be applied for diagnostic test for SLD.

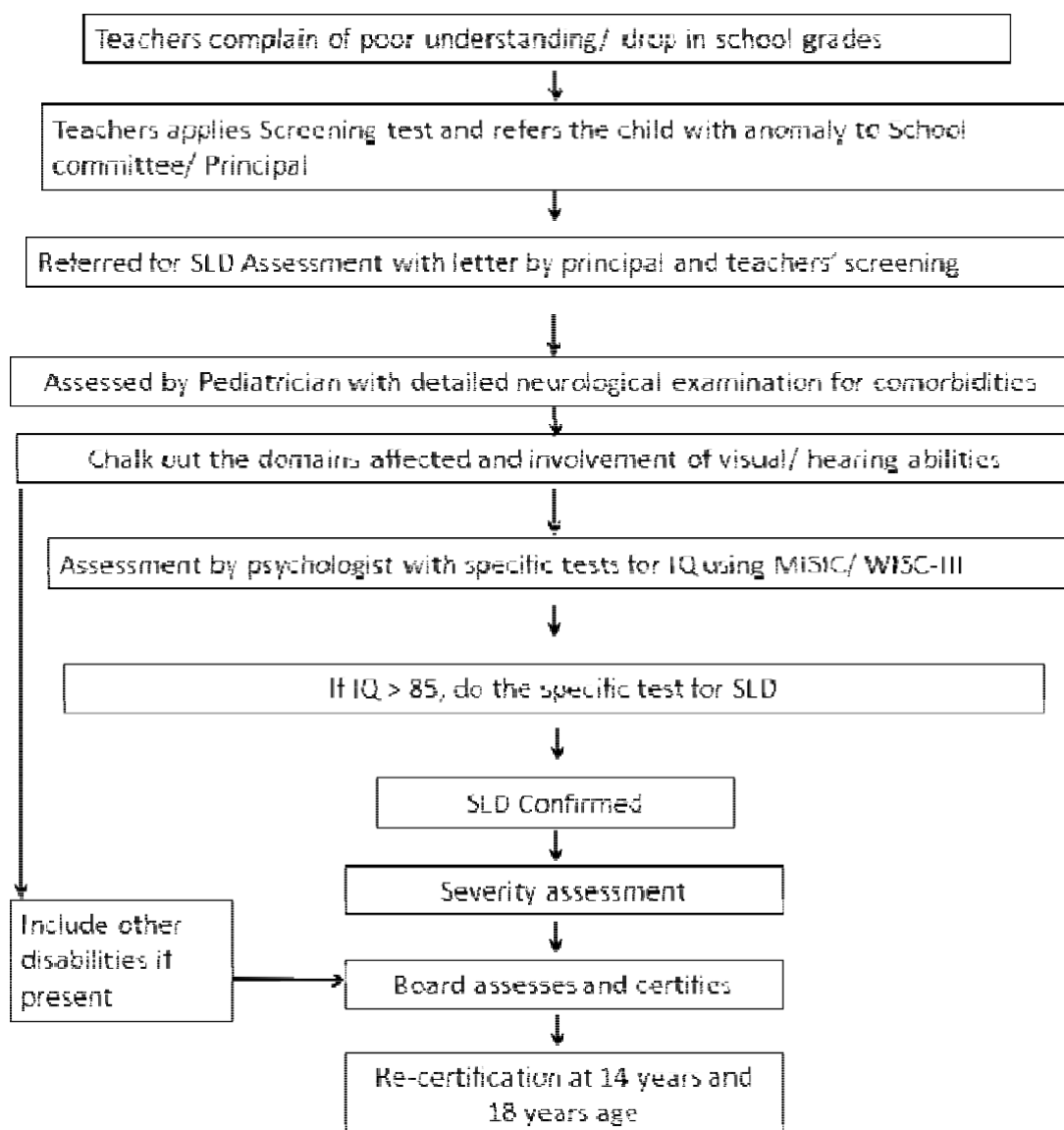
**22.5. Medical Authority:** The Medical Superintendent or Chief Medical Officer or Civil Surgeon or any other equivalent authority as notified by the State Government shall be head the certification authority. The medical authority will comprise of:

- (a) The Medical Superintendent or Chief Medical Officer or Civil Surgeon or any other equivalent authority as notified by the State Government
- (b) Pediatrician or Pediatric Neurologist (where available)
- (c) Clinical or Rehabilitation Psychologist
- (d) Occupational therapist or Special Educator or Teacher trained for assessment of SLD.

**22.6. Validity of Certificate:** The certification will be done for children aged eight years and above only. The child will have to undergo repeat certification at the age of 14 years and at the age of 18 years. The certificate issued at 18 years will be valid life-long.



**Figure 1.** The suggested flow for identification and certification of Children with suspected Intellectual Disability



**Figure 2.** The suggested flow for identification and certification of Children with suspected Specific Learning Disability.

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[No. 16-09/2014-DD-III]

SHAKUNTALA DOLEY GAMLIN, Secy.