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Right to Information for People with Disability

Developed by
Sakshi Trust – Bangalore

In collaboration with ActionAid India

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Disclaimer

The above guide is prepared only to assist citizens in using the Right to Information Act 2005. This should not be taken as an alternative to the Act. Readers are advised to consult the Right to Information act 2005 before taking any action based on this guide. The same can be accessed at <http://rti.nic.in>

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1. Introduction

Stratification of society based on age, sex, religion, caste, creed, power, and wealth, physical and mental ability is a reality. Egalitarian society is said to be a myth. Yet history proves time and again that human beings have made constant efforts to fight against injustice based on stratification and bring about some amount of equality, fairness and respect for human rights above all. Disability is one such stratification, which leads to a number of social and physical deprivations and disadvantages. According to a conservative estimate, there are about 600 million disabled people across the world, of these, 420 million (70%) live in developing countries. 80% of the disabled population in developing countries live below the poverty line, that is a staggering 335 million disabled people. One out of five of the poorest of the poor is a Person With Disability. Which means that 20% of the poorest of the poor and most marginalized are Persons With Disabilities.

These facts are also true of India. According to conservative estimates there are about 60 million Persons With Disability in the country. They constitute 10% of the world's disabled population and 15% of the disabled population of the developing countries. Out of this 80% live in rural areas. 49 million disabled people in India live below the poverty line.

Crippling attitudes towards disabled people compounded with institutional and environmental barriers result in the blatant discrimination and exclusion of this most marginalized section. The strongest tool to overcome such deprivations and disadvantages is to be equipped with updated information about the socio political systems, basic human rights instruments, available schemes and entitlements, procedures to access them, grievance redressal mechanisms and methods, existing infrastructure and tools that can be utilized to achieve dignity, self reliance and efficiency.

The rights of individuals with disabilities are grounded in a human rights framework based on the United Nations Charter, the Universal Declaration of Human Rights international covenants on human rights and related human rights instruments. The latest of these instruments is the United Nations Convention on the Rights of Persons with Disabilities, India became a signatory to this on the 30th of March 2007. In all these instruments the UN has proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth without discrimination of any kind. The UN also recognizes that inherent dignity, worth, equal and inalienable rights of all members of the human family are the foundation of freedom, justice and peace in the world. Persons With Disabilities are entitled to exercise their civil, political, social, economic and cultural rights on an equal basis with others under all the international treaties. The full participation of persons with disabilities benefits society as their individual contributions enrich all spheres of life and this is an integral part of individual's and society's well being and progress.

About Sakshi

Sakshi Trust is an NGO committed towards training citizens on how to use the RTI Act to improve governance. Sakshi aspires to create a thriving environment for participatory governance by training a threshold number of role model citizens in the application of the Right to Information Act, who with their success stories would encourage other citizens in emulating them, thereby effecting a more transparent and accountable government.

About ActionAid India

ActionAid is an international anti-poverty agency working in over 40 countries, taking sides with poor people to end poverty and injustice together.

In India we are working with more than 300 partner organisations and over fifteen million poor and excluded people in 24 states and two union territories. Our focus is on the rights of India's most marginalised communities: Dalit and indigenous people, rural and urban poor, women, children and minorities who face an acute lack of access to and control over resources, services, and institutions.

We pay special attention to those in vulnerable situations such as people living with chronic hunger, HIV/AIDS or disability, migrant and bonded workers, children who are out of school, city-dwellers without a home, and people whose land or livelihood is under threat. Also, women and men, girls and boys who have been trafficked, displaced, or hit by natural and human-made disasters.

ActionAid believes that to make any dent in persistent inequity and injustice, the root causes of poverty must be addressed, and not just the distress conditions.

We therefore take a rights-based approach to development, helping people claim their rights which may be constitutional, moral or legal entitlements and addressing immediate needs like food, health care, education and shelter on the way.

2. Context of this Guide

People with Disability form one of the most politically invisible and under-represented constituencies in India. The general level of awareness on disability-related issues among mainstream decision-makers is quite low, with disabled people themselves being ill informed about their rights. Disabled people continue to be largely excluded from education, employment and community activities. Quite often disability is not considered a development issue or a struggle for empowerment. Disabled people are looked upon merely as passive recipients of rehabilitation.

The question of access for people with disability is thus especially crucial in this situation. In addition to the aforementioned denial of disabled people accessing information, People with Disability are denied access to government buildings due to accessibility problems in transportation and the built environment. To encourage people with disability to travel to meet their representatives in government, transport facilities need to be disabled-friendly.

Keeping in mind the maxim "Information is Power", this handbook intends to place power in the hands of Persons with Disability. Disabled persons are handicapped not because of their disability, but because of the lack of access to information about their rights, entitlements and procedures to access the entitlements. Thus through this instrument we wish to empower each Person with Disability their family members, government and non-government development professionals and all other stakeholders to be able to advocate for themselves.

This book intends to provide a stepwise guide on drafting an RTI application in the context of disability. However, the book has been especially designed for use by NGO's, parents of disabled children, caregivers, students or any concerned individual in the Disability. It contains a detailed background on the different benefits that a disabled person is entitled to from the government. The main topics covered are disability certification, education, employment, public access, poverty alleviation schemes, assistive devices and complaint process and as such will be useful to any one seeking general information as well.

A ready to use list of applications have been pre-formatted and drafted and one can use this to seek information from any State or central office. We have included a brief study and put down RTI applications for your reference so that you may seek relevant information in an effort to facilitate a more transparent and a accountable system of governance.



Problems that Exist.

- Lack of awareness and negative attitudes towards people with disability. Very often people with disability are seen as sick persons who need care and comfort.
- No tradition of / or facilitation for people with disability forming political interest groups at various political levels.
- Lack of awareness about the governmental administrative structures and how, they can be used by NGOs and people with disability in particular.
- People employed in the Office of the Commissioner of disability themselves are not well versed in disability issues.
- State Coordination Committees and State Executive Committees (as specified in the Disability Act of 95) are not yet set up in all states.
- The strengthening of the disability movement is sorely required
- Only a few people with disability are represented in the administrative bodies set up by the Government.
- Lack of platforms where people with disability represented in governmental committees can share experience with other disability groups, get support, advice and gather information about disability issues.

Despite of the shortcomings and challenges stated, the PWD Act (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995: remains a unique opportunity to establish linkages between the administrative bodies and people with disability regarding political issues as well as rehabilitation.

3. How to use the Guide

The Guide book assumes that the reader is already familiar with the RTI Act. However, to those who are new to the Act and the problems of People with Disabilities in our country, a concise overview has been provided for a quick reference.

It includes a step wise guide to drafting RTI applications and provides a useful tool to seek information by any one concerned, an NGO, or even parents. The context of the RTI applications and interventions in this book are made from the perspective of specific issue that a citizen/ disabled person maybe concerned about.

Those desirous of knowing more on the subject can visit our link at www.sakshitrust.org

The first step in using this guide effectively is to identify the particular issue you are grappling with. This guide book covers the following issues for People with Disability.

- Getting a Disability Certificate
- Getting an allocation in Poverty Alleviation Schemes
- Ensuring barrier free access in Public spaces and offices
- Access to education and related services for PWDs
- Employment opportunities for the disabled
- Getting Assistive Devices
- Ensuring complaint are heard by the Commisioner for PWDs.

For each of these issues model RTI application have been developed that can help you solve the problem.

Each issue has two types of RTI interventions to it

1. The first is the Suo Moto declaration under the Section 4(1)(b) of the RTI Act 2005. This enables you to understand the chain of supervision in the concerned department, the kind of schemes/ facilities that are there for PWDs and how one can access them. All Suo Moto declarations are marked in Blue ad begin with and end with a # sign.
2. The second type of RTI intervention under each issue is the application for Information under section 6(1) of the RTI Act 2005. These applications are to be responded by the concerned department in 30 days (35 in case of a transferred application) and require application fees and fees for the cost of information. Each such application goes into a standard format as given below. Each application has two areas
 - a. One marked in orange and starting and end with the symbol * which describes the public information officer for that specific query. In case you are unable to access your PIO please check Chapter 4 (d) of this guide for detailed instruction on how to locate a PIO for a concerned issue.
 - b. The second area marked in Green starting and ending with the \$ sign is about information being asked for under that application

Fill in the correct parts of each application into the standard format given below and your RTI application is ready for submission. Remember to make a duplicate copy of the same and check the rules for your state as far payment of fee for submission and information goes.

**STANDARD FORM FOR APPLYING OR INFORMATION UNDER THE RTI
 ACT 2005 Section 6(1)**

To

*Public Information officer
 [department]
 [address]*

Right to Information Act 2005: Form A for applying for information under Section 6(1) of the Right to Information Act 2005

- A. Full Name of Applicant:
 B. Address
 C. Details of Information Required:
 \$

1. Fill in the questions here
 2. Fill in the questions here
 3. Fill in the questions here

\$

Place: Bangalore
 Date: XX/XX/0X
 IPO No.

Sd/-
 Signature of applicant
 Value Rs.Ten only

IMPORTANT NOTES:

- In case I am not able to deposit this application in person, it will be deposited through a messenger or sent through registered AD
- Where the number of pages exceeds 20, I will prefer to receive them in the scanned format on a CD.

NOTES CONCERNING COMMONLY MADE MISTAKES BY PUBLIC AUTHORITIES

The following notes are for the benefit and compliance of public authorities and have been culled from various decisions of the Central Information Commission. For specific decision number and date, please see <http://cic.gov.in>

- A PA can divide responsibilities among PIOs, but every PIO & APIO has to accept every application. Refusal is taken seriously
- A PIO named in the application has to provide information. He cannot transfer it to another PIO within the same PA
- Section 6(3) of the Act cannot be invoked to transfer an application within the same PA
- Even if information is available on the website of the PA, a citizen can ask for it through an application
- No document can be classified arbitrarily as secret or confidential except as provided for in the Act
- Section 7(9) cannot be used to refuse information. It only means that PIO can provide information in the available format if the requested format disproportionately diverts resources of the PA.
- Any attempt at frustrating an applicant from submitting the application invites complaint under section 18(1). Such complaints are proceeded with by the Commissions with the power of a civil court and provides for compensation to complainant.

PA = Public Authority; **PIO** = Public Information Officer; **APIO** = Assistant PIO

Total pages including enclosures is.

End of standard application format

4. Using RTI Step by Step

With the introduction of the Act in 2005, a significant door has been opened to the citizens of India to the way our government runs.

Right to Information Act is a legislation that allows the public to access information regarding government spending and policy. Article 19(1) (a) of the Indian Constitution guarantees the fundamental rights to free speech and expressions. Like any other servant who is accountable to their employers the public servant is accountable to the people

The Indian RTI Act has been acknowledged as one of the most progressive across the world. Some of its key features are:

- (a) Officers who don't respond within the stipulated 30 days can be fined Rs.250 per day, further their personal service records can be affected by the same.
- (b) With the exception of about 18 government bodies every branch, department, ministry, public sector enterprise including the armed forces is bound by the law to respond to requests for information by citizens.
- (c) A separate information Commission for enforcement of the law at both state and central level.
- (d) Low cost of information and exemption of fees for below the poverty line citizens.
- (e) Requires Public authorities to disclose some standard information voluntarily.

RTI upholds the notion of transparency and accountability in democratic governance. With relevance to which the Act states:

- The right of any citizen of India to request access to information and the corresponding duty of the government to meet the request, except the exempted information (Sec 18/19)
- The duty of the government to proactively make key available key information to all (Sec 4)

a. Identify the Problem:

The first obvious step would be to identify the problem that the applicant feels strongly about, for e.g. it could be bad roads in ones locality or difficulty in obtaining a disability certificate. Then the department pertaining to the grievance has to be identified which in this case could be the District Rehabilitation Officer of the area (or whosoever responsible in your State). To locate the PIO (Public Information Officer), the applicant can check the web or call the ministry for information. If unsuccessful, he/she can just hand over the application to the reception/receiving clerk/tappal section to get an acknowledgement or otherwise send the same by registered post acknowledgement due (RPAD). At the end of the day, persistence pays off, as it is imperative that the administrator in question responds within the stipulated time of 30days.

b. General overview of the Department:

Understand the department that you plan to tackle with RTI. For this the RTI Act allows the citizen to access general information under Sec 4(1)(b) regarding the department including who is working there, their duties and responsibilities, the schemes they are operating, the subsidies they provide etc. This will allow you to understand why something is not working properly and who is responsible. It will also tell you who the Public Information Officer of the concerned department is.

c. Draft your questions

The basic information request should have open ended questions that would get into details. The applicant should make clear in the application the period, location, budget, contract work or departmental work regarding which he/she is seeking information. More importantly, the four stroke approach can be used to get action of files and grievances that have been pending for a long time. The four stroke approach in a Right to Information Application has four questions listed below

Question 1: What is the Daily/Monthly progress on file/process/complaint? (In combination to these forces the public authority to acknowledge that it is running a bad process)

Question 2: What is the norm by which the department handles such file/ process/ complaint? (In combination with question 1, this forces the public authority to acknowledge that it is running a bad process as compared to the norm)

Question 3: Who are the officers responsible? (This question fixes blame for running a bad process)

Question 4: What action has been taken against officers who are delaying? (On fixing the blame the last question forces the public authority to penalize the concerned officer)

On receiving such questions, the public authority has only two options. Either respond to the citizen's query and therefore admit blame and penalize an officer or do the work as per the norm. Invariably the officer will choose the latter.

c. Submit Your Right to Information Application

After the application is drafted, it can be submitted along with a deposit of Rs.10 to the concerned department or PIO. According to rules of the Karnataka government, this deposit can be made as an IPO, DD or cash. It is important to take an acknowledgement from the person who receives the application and also record how the money was remitted, on the duplicate form. The acknowledgement is required in case you don't get a reply and wish to appeal to the Information Commission. In the case of people with disability and their issues, being a state subject, the PIO would be a state level functionary.

d. Locating your PIO

One of the best sources for finding the correct PIO is to check the web alternatively the RTI Act itself rules in favour of the applicant. Sec 6(3) of the RTI Act 2005 states that if the officer receiving the RTI application is not the correct PIO for the matter on which information is being asked the officer is duty bound under the law to transfer the application to the correct PIO and take five days extra for the same and intimate the concerned applicant. In the case of issues with disability if you do not know the correct PIO please send your application to the Public Information Officer, Office of the chief secretary of your state.

e. What next on Response

If on response, the applicant finds any discrepancy in what is stated on paper and the actual situation, he/she can escalate the case to senior officers or the Anti Corruption Bureau (ACB) or the Lok Ayukta or even file a Public Litigation (PIL) with the court.

If the problem can be solved, the government official is likely to rectify the problem before responding, in order to cover up any evidence of wrongdoing or having to penalize an officer of his/her department.

f. What Next- No Response

In case the user does not receive a response to the RTI application because the following reasons:

- Unable to submit request
- Non appointment of PIO
- Refusal to accept application

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- Refusal to access information
- Refusal to respond within time specified
- Unreasonable fees

a complaint can be lodged under section 18 to the State or Central Information Commission who will subsequently issue summons to the concerned PIO/ HOD.

5. Ready to use RTI Interventions Step by Step

Before reading this section the user is requested to read both section 3 (How to use this Guide) and section 4 (using RTI step by step)

A. Getting a Disability Certificate

The general guidelines for evaluation and assessment of various disabilities are issued by the Central ministry of welfare and various amendments from time to time are made. Accordingly Disability Certificate is to be issued by Medical Board constituted by Central and State Govt consisting of at least three members. In pursuance of various notifications issued by the central and state Govt it is mandatory that such certificate be granted free of cost and the medical board can avail the help and facility of private practitioners and institutions.

Different States have Different rules and procedure for issuance of disability Certificate.

STEP 1: Seek for the procedure followed and period for issuance of disability certificate

For this send an application for the *suo moto* declaration of the concerned Department in your State. The purpose of this step is to identify the procedure and duration taken for issuance of disability certificate.

#

[Date]

To

The Public Information Officer

[Name of state] State

Application for requesting the voluntary declaration under sec 4(1)(b) of the Right to Information Act 2005

Kindly provide me the voluntary declaration of your department as specified under the Right to Information Act 2005, more specifically, information relating to the issue of a disability certificate under the following sub clauses of Section 4(1)(b) of the the Right to Information Act 2005.

(iii) the procedure followed in the decision making process, including channels of supervision and accountability;

(iv) the norms set by it for the discharge of its functions;

(v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;

(vi) a statement of the categories of documents that are held by it or under its control;



- (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;
- (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;
- (ix) a directory of its officers and employees;
- (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;
- (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
- (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;
- (xiii) particulars of recipients of concessions, permits or authorisations granted by it;
- (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
- (xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;
- (xvi) the names, designations and other particulars of the Public Information Officers;

Name
Signature
Date

#

If you are not satisfied with information provided through STEP 1 or are not able to procure information through STEP 1 proceed to file an complaint under Section 18 of the RTI Act as described in Chapter 4(f).

When you are seeking details regarding when and where and by whom facilities are provided for issue of disability certificate for your district please use the following RTI application under Sec 6(1) of the RTI Act 2005.

*

**Public Information Officer
Department of Social welfare/ Ministry of Social Justice/ Department for Disabled and senior citizens**

*

\$

With regard to the facilities provided for assessment of disability and issue of disability certificates for the district of [Name of district]

1. Please provide me with the details as to when the camps for medical check up for assessing disability are conducted.
2. Please provide the details as to how many times in a month it is conducted.



3. Please provide me the details of the place where the check ups are conducted.
4. Provide the details as to who conducts the check ups and who assesses the disability.
5. Provide me with the details as to the procedure to be followed before/during/after check up.
6. Provide the details as to how a disability is assessed.(optional coz grid available)
7. Please provide me the details as to how long would it take to get the disability certificate after the check up.

§

Once you receive the above information on, when and where the camp for assessment is being held please go there and register yourself for an assessment. Please remember to record the proof of registration. In this case it could be the sl no. against your name in the register and the date.

Please proceed to your assessment by the doctor at the camp. Should you face any difficulty in getting your chance at assessment (use Question 1 and 2 only) or in receiving your disability certificate post assessment (use question 3 onwards). Please ask the following question in the standard form.

*

Public Information Officer

Office of District Health Officer/ Disability Development and Rehabilitation Officer

*

§

With Reference to the camp for issue of disability certificate held on [date] at [venue]. Please provide me the following details

1. Provide me a list of the names of people who were assessed for disability in the afore mentioned camp along with their sl No. as entered in the register of people assessed at the camp. Please provide a photocopy of the relevant pages of the register indicating the people who have been issued their certificates.
2. Should the assesees be called for assessment as per the order of registration? If yes then please the explain reason why the assessment was not conducted as per the order of entry in the register for each assessment not done as per order in the register.
3. With reference to my assessment (Sl no. XXX) please provide me a copy of my check up report(DOI grid)
4. Please provide the details of the status regarding the issuance of my disability certificate.
5. Provide me with the names of the authorities in charge of issuance of my disability certificate.
6. If the concerned authority has exceed the time limit for issuance of the disability certificate what action will be taken against them as per department rules for harassment of a citizen.

§

B. Getting an allocation in Poverty Alleviation Schemes

Before reading this section the user is requested to read both section 3 (How to use this Guide) and section 4 (using RTI step by step)

Allotment of sites and houses

Schemes for affirmative Action as mandated by Chapter VII of the Persons with Disabilities Act, 1995 include schemes for preferential allotment of land at concessional rates. As indicated by Chapter VII of the 1995 Act, the appropriate Governments have passed notifications/orders providing for various schemes/ concessions for the PWD.

STEP 1:

Identify the schemes available for the disabled.

For this send an application for the *suo moto* declaration of the [redacted] Department. The purpose of this step is to identify the land/site/houses allotment schemes available for the disabled in that State so as to seek information from the concerned PIO regarding the implementation of that particular land/site/houses allotment scheme.

#

[Date]

To

[redacted] Department
[Name of state] State

Application for requesting the voluntary declaration under sec 4(1)(b) of the Right to Information Act 2005

Kindly provide me the voluntary declaration of your department as specified under the Right to Information Act 2005, more specifically, information relating to land/site/house allotment schemes available for people with disability under the following sub clauses of Section 4(1)(b) of the the Right to Information Act 2005.

(iii) the procedure followed in the decision making process, including channels of supervision and accountability;

(iv) the norms set by it for the discharge of its functions;

(v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;

(vi) a statement of the categories of documents that are held by it or under its control;

(vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;



(viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;

(ix) a directory of its officers and employees;

(x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;

(xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;

(xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;

(xiii) particulars of recipients of concessions, permits or authorisations granted by it;

(xiv) details in respect of the information, available to or held by it, reduced in an electronic form;

(xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;

(xvi) the names, designations and other particulars of the Public Information Officers;

Name

Signature

Date

#

If you are not satisfied with information provided through STEP 1 or are not able to procure information through STEP 1 proceed to file an complaint under Section 18 of the RTI Act as described in Chapter 4(f) also simultaneously make the following application under Sec.6(1) of the Act-

*

Public Information Officer

KHB/BDA/ HUDCO/ Ministry of Urban Affairs/ Housing

*

\$

I request for all the Government Orders and notifications relating to land/site/houses allotment schemes available for Persons with disability in the State of _____. Including a copy of the procedure, rules, guidelines, manual used for the same.

\$

STEP 2: You could skip STEP 1 and file RTI Applications (ready to use samples) requesting information on the schemes detailed below.



Reservation For allotment of land/sites/houses by government bodies. Benefits under Chapter VII of The Persons with Disabilities Act 1995

1. Preferential allotment at concessional rates for houses, setting up business, special recreation centers, special schools, research centers, factories by entrepreneurs with disabilities
2. Shall reserve not less than 3% in all poverty alleviation schemes .[sec 40 chapter vi]

Schemes in place in Karnataka

1. As per allotment regulation of KHB,0.2% has been reserved for deserving disabled applicant
2. BDA has reservations in their allotments
3. Ashraya housing scheme, urban/rural/new village schemes(%varies each year)
4. 2% reserved in allotment of GOVT Quarters for disabled.
5. HUDCO has reservations (%varies each year)

Use the following questions in standard RTI section 6(1) form:-

*

Public Information Officer

KHB/BDA/ HUDCO/ Ministry of Urban Affairs/ Housing

*

\$

1. Please provide me with the details regarding application received for allotment of land/sites/houses by the PWD in the year(s)-----
2. Please provide me the details of percentage of reservation ear marked for the PWD for all the allotment Schemes in the state in terms of sq.feet area and number of plots.
3. Please provide me the details as to how many of the applications received were approved and how many land/site/houses were allotted under the quota reserved for PWD
4. Please provide me the names and the copy of applications of all the applications received by PWD under all the allotment Schemes.
5. Please provide me the names and allotment details including details about the land/site/house allotted to the Disabled applicants.
6. In case few applications were rejected, the details of those applications and the reason for not approving those applications.
7. In case the reserved quota was not availed by the PWD what was done with the remaining land/site/houses.
8. Please provide me the reason for not allotting to me the land/site/houses under -----
Scheme

\$

SL 8 to be used if applicant has not been allotted under the specific Scheme (s)he applied

When application for allotment details is being filed mention the particular scheme under which you want to have the details.

If you are not satisfied with information provided through this application or are not able to procure the information proceed to file an complaint under Section 18 of the RTI Act as described in Chapter 4(f)



Other Poverty Alleviation Schemes

Use the following application to identify the schemes for poverty alleviation in your village/block/district so you can demand a 3% reservation for PWD under them.

*

To
The PIO
Zilla /Gram Panchayat/ District Commissioner

*

\$

1. Please intimate for the period of 20XX to 20XX the poverty alleviation schemes in operation for disabled, SC/ST, economically backward classes/ Women.
2. For each of these schemes mentioned above please intimate to me allocation of funds in Rs. For the specified period.
3. For each of the schemes please intimate to me the procedure and eligibility required for applying for benefits under the above mentioned scheme
4. Please specify if the allocation in these schemes is made for a minimum of 3% for people with disability

\$

If you are not satisfied with information provided through this application or are not able to procure the information proceed to file an complaint under Section 18 of the RTI Act as described in Chapter 4(f)

C. Ensuring barrier free access in Public spaces and offices

Before reading this section the user is requested to read both section 3 (How to use this Guide) and section 4 (using RTI step by step)

As per few of the By-laws of the PWD Act-1995 the Public Places have to be made more accessible and barrier free for the independent and easy movement of the PWD and accordingly the State Governments have come out with few notifications.

Benefits under Chapter VIII of the PWD Act-1995

- a. Special measures to adapt rail compartments, buses, vessels and aircrafts to permit easy access
- b. Adapt toilets in public places, rail compartments, vessels aircraft waiting rooms to permit wheel chair users for convenient use
- c. Installation of auditory signals in public places for benefit of visually handicapped
- d. Curb cuts and slopes in pavements for wheel chair users.
- e. Engraving on the surface of the zebra crossing, edges of railway platforms for blind and low vision people.
- f. Appropriate symbols and warning signals in public places for PWD
- g. Ramps in public places specifically in hospitals, primary health centers rehabilitation centers, etc.
- h. Braille symbols and auditory signals in elevator and lifts

i. Ensuring Barrier Free Access in specific buildings

STEP 1:

Identify the building/ public space which you feel lacks barrier free access for PWDs ask that department or the PWD (public works Department) under whose jurisdiction the facility operates, regarding the notifications and by-laws passed with regard to facilities available for easy and independent accesses for all the building under them and the one specifically being addressed by you.

For this send an application for the *suo moto* declaration of the concerned Department who manages the building or constructed it (Public Works Department). The purpose of this step is to identify the Rules and facilities available for the disabled for barrier free access in your State and to seek information from the concerned PIO regarding the implementation of a particular rule in a specific facility.

#

[Date]

To

Public Information Officer

The Public Works Department/ KSTRC/DTC/ Delhi University

[Name of state] State



Application for requesting the voluntary declaration under sec 4(1)(b) of the Right to Information Act 2005

Kindly provide me the voluntary declaration of your department as specified under the Right to Information Act 2005, more specifically, information relating to Rules/By-laws/Notifications and facility available for providing persons with disability, barrier free access to your offices and public spaces under the jurisdiction of your department under the following sub clauses of Section 4(1)(b) of the Right to Information Act 2005.

the procedure followed in the decision making process, including channels of supervision and accountability;

(iv) the norms set by it for the discharge of its functions;

(v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;

(vi) a statement of the categories of documents that are held by it or under its control;

(vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;

(viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;

(ix) a directory of its officers and employees;

(x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;

(xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;

(xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;

(xiii) particulars of recipients of concessions, permits or authorisations granted by it;

(xiv) details in respect of the information, available to or held by it, reduced in an electronic form;

(xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;

(xvi) the names, designations and other particulars of the Public Information Officers;

S/d-

[Name]

[Address]

#



P.S: If you are not satisfied with information provided through STEP 1 or are not able to procure information through STEP 1 proceed to file an complaint under Section 18 of the RTI Act as described in Chapter 4(f) also simultaneously make the following application under Sec.6(1) of the Act-

*

Public Information Officer
The Public Works Department/ KSTRC/DTC/ Delhi University
[Name of state] State

*

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I request for copies of all the Government Orders and Notifications By-laws and rules relating to easy accesses and facilities available for Persons with disability in the public places in the State of _____.

\$

STEP 2:

You could skip STEP 1 and file RTI Applications (ready to use samples) requesting information.

*

Public Information Officer
The Public Works Department/ KSTRC/DTC/ Delhi University
[Name of state] State

*

\$

1. Please provide me a list of all offices/ building under the jurisdiction of your department in the city/state of [city/state].
2. Please provide a copy of the GO vide which the bye laws specified under the PWD Act of 1995 was intimated to your department.
3. Please provide me the details as to all the standard facilities for barrier free access made available for the Persons with Disability vide Benefits under Chapter VIII of the PWD Act-1995 in buildings/office mentioned in 1.
4. For each of the buildings/ offices mentioned in 1 please state if the same was constructed/renovated in compliance with by-laws under PWD Act-1995 and building By-laws.
5. With reference to the your office at [address] please provide the list of civil work that was conducted on the afore mentioned building and the cost of each such work for the financial period 20XX to 20XX.
6. For each of the public works executed as mentioned in 5 please provide a copy of the approved plan, Measurement book.
7. For each of the public works mentioned in 6 please mark out on the approved plan, facilities for providing barrier free access for PWDs.
8. I would like to inspect each of the facilities specified in 7. Please tell me suitable date when the same can be done.



9. In the case where renovation /construction was done in contravention of bye laws mentioned in the PWD Act of 1995 please mention the name of the officer who approved such a plan.
10. Since the officer has approved the plan in contravention of the PWD Act of 1995, what action as per your departmental norms are to effected against the concerned officer.
11. For the current financial year of 20XX please provide me a list of proposed civil works/ renovations planned for in the afore mentioned office with the details as to how much is being allocated to make the existing buildings and places of public accesses barrier free and easy and independent access.

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ii. Facilities for independent and easy accesses in Transport sector

*

Public Information Officer

KSTRC/ SE Railways/ Airports Authority of India

*

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With reference to your bus /railway station/ Airport at [address] please provide me the following details

1. The facilities provided for People with Disability(PWD) to access the bus/train arriving at platform no. [no. of the platform]
2. Please provide an approved layout of the building and please indicate on the same the facility provided for PWD to access the services on all floors.
3. Please state if the building has been built in compliance of the bye laws mentioned in the PWD Act of 1995.
4. What if any violations have been noticed in the existing building of the bye laws mentioned in the PWD act of 1995.
5. What action has been taken to remedy the same. Please provide me an action taken report

\$

D. Access to education and related services for PWDs

Before reading this section the user is requested to read both section 3 (How to use this Guide) and section 4 (using RTI step by step)

In keeping with the spirit of the Article 21A of the Constitution guaranteeing education as a fundamental right and Section 26 of the Persons with Disabilities Act, 1995, free and compulsory education has to be provided to all children with disabilities up to the minimum age of 18 years. As indicated by Chapter V of the 1995 Act, the appropriate Governments have passed notifications/orders providing for various schemes/ facilities for the PWD.

STEP 1:

Identify the educational schemes and facilities available for the PWD.

For this send an application for the *suo moto* declaration of the Education Department in your State. The purpose of this step is to identify the education schemes and facilities available for the disabled in your State so as to seek information from the concerned PIO regarding the implementation of a particular educational scheme or facility.

#

[Date]

To

The Education Department

[Name of state] State

Application for requesting the voluntary declaration under sec 4(1)(b) of the Right to Information Act 2005

Kindly provide me the voluntary declaration of your department as specified under the Right to Information Act 2005, more specifically with regard to educational schemes, reservations, quotas and facilities made available for persons with disability (PWD) under the following sub clauses of Section 4(1)(b) of the Right to Information Act 2005.

- (iii) the procedure followed in the decision making process, including channels of supervision and accountability;
- (iv) the norms set by it for the discharge of its functions;
- (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;
- (vi) a statement of the categories of documents that are held by it or under its control;



- (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;
- (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;
- (ix) a directory of its officers and employees;
- (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;
- (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
- (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;
- (xiii) particulars of recipients of concessions, permits or authorisations granted by it;
- (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
- (xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;
- (xvi) the names, designations and other particulars of the Public Information Officers;

S/d-

[Name]

[Address]

#

P.S: If you are not satisfied with information provided through STEP 1 or are not able to procure information through STEP 1 proceed to file an complaint under Section 18 of the RTI Act as described in Chapter 4(f) also simultaneously make the following application under Sec.6(1) of the Act-

*

PIO
Under Secretary
Department of Education
State

*

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I request for copies of all the Government Orders and Notifications relating to educational schemes, quotas, reservations and facilities made available for Persons with disability in the State of _____.

\$

**STEP 2:**

You could skip STEP 1 and file RTI Applications (ready to use samples) directly requesting information on.

i. Reservation of seats for the PWD for a particular course in government education institutions and government aided education institutions – both in schools and in colleges :

- Specific benefit under Sec.40 of The Persons with Disabilities Act 1995 :

All Government educational institutions and other educational institutions receiving aid from the Government shall reserve not less than three per cent seat for persons with disabilities.

*

PIO - Head of the Educational Institution(Registrar in case of Universities, Principal in case of Colleges) / Block Education Officer

*

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I request for documents relating to following:

1. Please provide details of the Percentage of reservation for Persons with disability (PWD) for - _____ (name of the course, applicable in case of a College) in _____ (Name of the School/College) including a break up of reservation for each form of disability like visual disability, physical handicap etc.
2. Please provide details of the total number of seats available for PWD specifying for _____ (name of the course, applicable in case of a College) in _____ (name of the School/College) specifying number of seats allotted for the PWD.
3. Please provide the details of applicants including their name, category of disability for PWD quota for _____ (name of the course, applicable in case of a College) for the year(s) _____.
4. Please provide details of name of the applicants to whom the seat was allotted specifying the category of disability for the above-mentioned year(s).
5. In case certain seats are not allotted in the PWD quota for any particular year, please provide reasons for the same for each category of disability for which seats were not allotted for each of the aforementioned years.
6. Please provide information whether the seats in Sl.No.5 were carried forward for accommodating the PWD in the succeeding years and details relating to the same.
7. Please provide reasons for not granting admission to me, _____ (name of the Applicant) in _____ (year) for _____ (course applied for, applicable in case of a College) in the category of _____ (specify category of disability) and also specify my position in the selection list. (Applicable to cases where the RTI Applicant was one of the applicants for a seat in the School/College and has not procured the seat).



\$

[P.S: It is suggested that if Sl.No.7 is added as a part of the RTI Application, the Applicant attach a copy of the application form / acknowledgment of receipt of the application form submitted for admission to that School/College for more clarity.]

ii. Provision of facilities for the PWD including training of teachers in government educational institutions and government aided educational institutions – both in schools and in colleges:

- Benefits under Chapter V of The Persons with Disabilities Act 1995
 - a. Government to promote the integration of students with disabilities in the normal schools
 - b. Special schools in Government and private sector for those in need of special education
 - c. Class and discussions to be conducted through interactive electronic or other media
 - d. Every child with disability to be provided free of cost special books and equipments needed for his education.
 - e. Appropriate Governments to set up adequate number of teacher's training institutions so that requisite trained manpower is available for special schools and integrated schools for children with disabilities.
 - f. Removal of architectural barriers from schools, colleges or other institution, imparting vocational and professional training.
 - g. The supply of books, uniforms and other materials to children with disabilities attending school.
 - h. The grant of scholarship to students with disabilities
 - i. Structuring of curriculum for the benefit of children with disabilities and so on.

*

PIO - Head of the Educational Institution(Registrar in case of Universities, Principal in case of Colleges) / Block Education Officer

*

\$

With reference to [Name] school/college/ university please provide the following details

A. With reference to training provided to orient teachers/lecturers who teach People with Disability (PWD).

1. Please provide a copy of G.Os /Notifications which provide for training to orient teachers/lecturers who teach PWD.

2. Total number of such trainings conducted to orient teachers/lecturers who teach PWD in the year(s) _____.

3. Total amount allocated for providing such training for each of the following years _____.



4. FOR EACH OF SUCH TRAININGS CONDUCTED in the year(s) _____, please provide the following details year wise –

- i. Purpose and nature of the training.
- ii. Date on which the training sessions commenced and concluded, including the duration of the training session.
- iii. Total number of hours of training provided.
- iv. Total number of persons whom the training was provided to.
- v. Details including name of the teacher, subject taught etc. who has undergone the training.
- vi. Details relating to where the training was organized.
- vii. Details relating to who provided the training.
- viii. Details relating to the total expenditure on the training and the breakup of the same.
- ix. Other details as may be relevant.

With reference to facilities provided to People with Disability (PWD) in (specify educational institution name) please provide the following information.

5. Re: Ramp for physically challenged children:

- a. What if any amount has been sanctioned for this school/college for a ramp for physically challenged students and for how many?
- b. How many ramps are to be officially constructed by the government for this/each school/college and how many have been constructed in this particular school/college?
- c. Who is the person responsible for the upkeep and the maintenance of this ramp?
- d. Please provide a copy that shows the construction of the ramp for the physically and mentally challenged children of this school/college.
- e. Please provide a copy that shows that the fund has been given and acknowledged by the school/college.

6. Re: Railings:

Please provide similar details as in Sl. No.5 regarding the railings for access by PWD.

7. Please provide information whether the classrooms in which the PWD study are on the ground floor. In they are not on the ground floor, what are the facilities provided to them to reach the classrooms easily.

8. Re: Toilet facilities:

Please provide information –

- a. What if any amount has been sanctioned for this school/college for building PWD-friendly toilets, that is a toilet easily accessible by them.
- b. Please provide a copy of the documents from your accounts department, which shows that fund has been transferred, given and acknowledged and utilized by this School/ College.
- c. How many of such toilets have been constructed as yet?
- d. Please provide details of the person responsible for maintenance of the same.
- e. Please provide details whether the toilets are on the same floor as that of their classroom.



f. If they not accessible by the PWD, please provide reasons for the same and specify what the alternative arrangement is for access of toilet facilities by the PWD.

9. Please provide details of availability of Braille books, audiocassettes for blind students and other such special books, electronic and other facilities to the blind students and how they are distributed/made available to them.

10. Please provide details of transport facilities to the children with disabilities .In the absence of availability of the same, financial incentives to parents or guardians to enable their children with disabilities to attend schools/colleges.

11. Re: Scholarships

Please provide information –

- a. Number of scholarships made available to the PWD in the financial year 20xx.
- b. Complete details of the scholarship scheme such as eligibility criteria, amount of scholarship, number of persons to whom such a scholarship is granted etc.
- c. Details of the PWDs to whom scholarship was granted for each scholarship for the year(s) 20XX

[P.S: A separate RTI application for seeking details regarding scholarship can be filed customized to the requirements of the Applicant.]

12. Please provide details of steps to be taken to provide integrated education to the PWD along with the other students.

13. Please provide any details of any other facilities that ought to be provided to the PWD.

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E. Employment opportunities for the disabled

Before reading this section the user is requested to read both section 3 (How to use this Guide) and section 4 (using RTI step by step)

Strategies for economic empowerment of persons with disabilities as mandated by Chapter VI of the Persons with Disabilities Act, 1995 include reservation of jobs in Government establishments, formulating self-employment schemes, providing vocational training and other such concessions. As indicated by Chapter VI of the 1995 Act, the appropriate Governments have passed notifications/orders providing for various schemes/ concessions for the PWD.

STEP 1:

Identify the employment schemes available for the disabled.

For this send an application for the *suo moto* declaration of the [redacted] Department. The purpose of this step is to identify the employment schemes available for the disabled in that State so as to seek information from the concerned PIO regarding the implementation of that particular employment scheme.

#

[Date]

To

[redacted] Department

[Name of state] State

Application for requesting the voluntary declaration under sec 4(1)(b) of the Right to Information Act 2005

Kindly provide me the voluntary declaration of your department as specified under the Right to Information Act 2005, more specifically, information relating to employment schemes available for people with disability (PWD) under the following sub clauses of Section 4(1)(b) of the the Right to Information Act 2005.

- (iii) the procedure followed in the decision making process, including channels of supervision and accountability;
- (iv) the norms set by it for the discharge of its functions;
- (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;
- (vi) a statement of the categories of documents that are held by it or under its control;



- (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;
- (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;
- (ix) a directory of its officers and employees;
- (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;
- (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
- (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;
- (xiii) particulars of recipients of concessions, permits or authorisations granted by it;
- (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
- (xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;
- (xvi) the names, designations and other particulars of the Public Information Officers;

S/d-

[Name]

[Address]

#

P.S: If you are not satisfied with information provided through STEP 1 or are not able to procure information through STEP 1 proceed to file an complaint under Section 18 of the RTI Act as described in Chapter 4(f) also simultaneously make the following application under Sec.6(1) of the Act-

*

PIO

Office of the Chief Secretary

State of []

Address

*

\$

I request for all the Government Orders and notifications relating to employment schemes available for Persons with disability in the State of _____.

\$

STEP 2:

You could skip STEP 1 and file RTI Applications (ready to use samples) requesting information on

i. Reservation of jobs for the PWD for a particular job description/ designation in government establishments:

- Benefits under Chapter VI of The Persons with Disabilities Act 1995
 - a. Identification of posts in the government establishments, which can be reserved for the persons with disability.
 - b. Not less than 3% reservation in employment in the establishments of Government of India and Public Sector Undertakings (PSUs) against identified posts.
 - c. Unfilled vacancies to be carried forward in the succeeding recruitment year.

*

PIO - The PIO for this issue will be the PIO for the specific department/ office where the applicant is looking for employment

*

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With reference to your establishment at [address] under the department of [name of department/organisation]

1. Please provide details of the total number of jobs reserved for the PWD for the year (s) _____ specifying number of posts for each job description/designation.
2. Please provide details of the percentage of reservation for Persons with disability (PWD) in _____ (Name of the institution) including a break up of reservation for each form of disability like visual disability, physical handicap etc.
3. Please provide information as to whether selection to each of the job description/designation was advertised. If yes, please provide a copy each of the advertisements as it appeared in the publication along with date and name of the publication.
4. Please provide the details of applicants including their name, category of disability for PWD quota specifying the job description/designation applied for, for the year(s) _____.
5. Please provide details of name of the applicants to whom the seat was allotted specifying the category of disability and the job description/designation for each of the above-mentioned year(s).
6. In case certain seats are not allotted in the PWD quota for any particular year, please provide reasons for the same for each category of disability for which seats were not allotted for each of the aforementioned years.
7. Please provide information whether the seats in Sl.No.5 were carried forward for accommodating the PWD in the succeeding years and details relating to the same.
8. Please provide reasons for not selecting me, _____ (name of the Applicant) in _____ (year) for the post of _____ in the category of _____ (specify category of disability) and also specify my position in the selection list. (applicable to cases where the RTI Applicant was one of the applicants for the job and has not procured the job).

§

[P.S: It is suggested that if Sl.No.7 is added as a part of the RTI Application, the Applicant attach a copy of the application form / acknowledgment of receipt of the application form submitted for job for more clarity.]

ii. Providing employment opportunities for PWD through self-help schemes etc.

Benefits under Chapter VI of The Persons with Disabilities Act 1995. Government to formulate schemes providing for-

- (i) The training and welfare of persons with disabilities;
- (ii) The relaxation of upper age limit;
- (iii) Regulating the employment;
- (iv) Health and safety measures and creation of a non-handicapping environment in places where persons with disabilities are employed;
- (v) The manner in which and the person by whom the cost of operating the schemes is to be defrayed; and
- (vi) Constituting the authority responsible for the administration of the scheme.

Examples of Schemes available in Karnataka

- a. providing priority to the disabled in running PCOs,
- b. Aadhara Scheme catering to the self employment needs of disabled persons of the state to set up petty shop and such other initiatives, providing financial assistance to the tune of Rs. 10,000/- per unit to 1000 such units in total.
- c. Under Spoorthi SHG scheme 2006-07, the government has made provision for self employment opportunity to PWDs for group of 10 SHGs in each Taluk in all the Districts of the state.

It is suggested that information be obtained through STEP 1 before proceeding with this step to identify the Schemes available for the PWD in your State.

*

PIO – Will be the PIO of department of disabled and senior citizens or corporations and boards for financing entrepreneurial development in your state.

*

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I request for documents relating to following Information with respect to _____ (name of the Scheme) as introduced by G.O/Notification No. _____ dated _____.

(In case of a skill-training programme, the following information could be sought for)

1. Please provide details regarding how eligible and potential candidates having required educational qualifications to undergo the skill-training program are identified.
2. FOR EACH OF SUCH TRAININGS CONDUCTED including computer training courses , in the year(s) _____, please provide the following details year wise –



- i. Date on which the training sessions commenced and concluded, including the duration of the training session.
 - ii. Total number of hours of training provided.
 - iii. Total number of persons whom the training was provided to.
 - iv. Details relating to where the training was organized.
 - v. Details relating to who provided the training.
 - vi. Details relating to the total expenditure on the training and the breakup of the same.
 - vii. Other details as may be relevant.
3. Please provide information as to whether details regarding conducting each of such programme was advertised. If yes, please provide a copy each of the advertisements.
 4. Please provide details regarding the amount provided for each PWD under the scheme for the year(s)_____.
 5. Please provide details regarding criteria for providing the amount as financial assistance.
 6. Please provide details of persons including name who availed the same and purpose for availing financial help.

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(In case, financial help is also provided to help PWD for self-employment, then question 4 through 6 can also be asked)

F. Getting Assistive Devices

Before reading this section the user is requested to read both section 3 (How to use this Guide) and section 4 (using RTI step by step)

For persons with disabilities and others who need wheelchairs, crutches or other assistive devices to lead normal lives, the appropriate Governments have formulated assessment and evaluation for appropriate assistive devices like manual wheelchair, walking aids (crutches, walker, sticks), hearing aids etc. customized to the needs of the PWD.

Several states have also passed notifications/orders providing for free assistive devices. At the outset it is necessary to obtain information regarding scheme providing for free assistive device or such devices at nominal cost and how to procure the assistive device.

However, if you have already applied for the same not received the assistive device applied for as yet , proceed directly to STEP 2.

STEP 1: RTI application for requesting information to identify how to procure assistive devices from Government bodies

*

PIO: Department of social welfare/Justice/ Department of disabled and senior citizens.

*

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I am a person with _____ (category of disability). I have enclosed a copy of my disability certificate. I request for documents relating to following Information:

1. Please provide to me details of schemes making a provision for procuring free assistive device of _____ (specify the name of the assistive device needed) or other such relevant schemes for assistive devices relating to my category of disability.
2. Please provide to me the details as to which authority I have to apply to for procuring such an assistive device.
3. Please provide me with step-wise details as to process of applying to the authority to procure the assistive device.
4. Please provide me with details as to the time frame within which the device sought for is to be delivered/handed over.
5. Please provide me with details as to the future course of action that I should take in case the authority does not hand over the assistive device within the specified/reasonable time.

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STEP 2: RTI application for requesting reasons for not having received the assistive device applied for :

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PIO: Department of social welfare/justice or department of disabled and senior citizens

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I have given my measurement / specifications for _____ (specify the name and details of the assistive device to _____ (specify the authority to whom the details were given) on _____(specify the date). However I have not received the same as yet.

Hence, I request for documents relating to following Information:

1. Please provide to me information relating to the norms governing taking of measurements, time period of delivery of assistive devices, authority responsible for the same etc.
2. Please provide reasons for not providing _____ (name of the assistive device) till date.
3. Please specify the name of the concerned person or authority from which I can collect the same.

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G. Ensuring complaints are heard by the Commissioner for PWDs.

Before reading this section the user is requested to read both section 3 (How to use this Guide) and section 4 (using RTI step by step)

The Chief Commissioner for PWD under Sec.59 and Commissioner within a State under Sec. 61 of the Act, the may of his own motion or on the application of any aggrieved person or otherwise look into complaints with respect to matters relating to-

- (a) Deprivation of rights of persons with disabilities;
- (b) Non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions made or issued by the appropriate Governments and the local authorities for the welfare and protection of rights of persons with disabilities, And take up the matter with the appropriate authorities.

Following are the procedures for filing a complaint with the Commissioner of People with Disabilities

Who To Approach

Each State in India has its own State Commissioners for Persons with Disabilities. In most cases of discrimination in the area of disability, you should go to them first for redressal.

To Find out who your State Commissioner is, Click On Names & Addresses Of Commissioners.

In cases Relating To Central Government, Complain Directly To :

Dr. Manoj Kumar

Chief Commissioner

Address : Sarojini House, 6 Bhagwan Dass Road, New Delhi 110001

Phone No : 91-011 - 23386154, 23386054, 23384762

How To Approach

You Must Come To The Commissioner In One Of The Following Ways:

- 1. In person**
- 2. Through a representative**
- 3. Through registered post**
- 4. By E-mail**

You Need To Give Certain Details:

- 1. Your name , address & brief description of yourself and the nature of your disability**
- 2. The name of the person (s) & company (ies) against whom you are making your complaint, together with their address & details, so far as they can be ascertained.**
- 3. The facts relating to the complaint**
 - a. What happened**
 - b. When it happened**
 - c. Where it happened**
 - d. What sort of relief you are claiming**

Documentation Required

- You must be able to give documents in support of the allegations contained in the complaint. Attach copies of the documents you have received from your RTI application
- You must have a certificate of disability proving that you are disabled.

What Happens Next

- Once the Commissioner has received your complaint, he will refer a copy of the complaint to the appropriate party mentioned in the complaint directing him to give his version of the case within a period of 30 days.



- Some extended period of up to 15 days may be granted by the Chief Commissioner.
- The commissioner will then give date for the hearing . On this date, the parties or their agents must appear before the commissioner.
- If you (the complainant) or your agent fails to appear on the date, the Commissioner in his discretion dismiss the complaint or decide on merits.
- Where the opposite party or his agent fails to appear on the date of hearing, the date of hearing , the commissioner may take such necessary action under section 63 of the act as he deems fit for summoning and enforcing the attendance of the opposite party.
- The Chief Commissioner may dispose of the complaint exparte, if necessary.
- The Chief commissioner may on such terms as he deems fit & at any stage of the proceedings, adjourn the hearing of the complaints.
- The complaint shall be decided, as far as possible, within a period of three months from the date of notice received by the opposite party.

If you have filed a complaint but have not received any feedback from the Commissioner concerned, file the following RTI application.

*

PIO:

Office of Chief/State Commissioner for Persons with Disabilities

*

\$

I had filed a complaint with the Commissioner of Persons with Disabilities on _____(date) regarding _____ (specify in one line the subject-matter of the complaint. The Complaint was duly acknowledged by the Commissioner's office. A copy of the complaint and acknowledgment received for the receipt of the same are enclosed.

However, I have not received any response/intimation from the Commissioner of Persons with Disabilities till date. Hence, I request for documents relating to following Information.

1. Norms relating to accepting and disposal of complaints by the Commissioner including the time period within which the complaints ought to be disposed off.

2. Please provide to me the reasons why there has been no response regarding the said complaint filed by me.

\$

6. Filing a Complaint in case of unsatisfactory response to your RTI applications.

In case you do not receive a response to your request for the suo moto declaration or you do not get a response to your request for information against your RTI application under section 6(1) in 30 days (immediate for suo moto declaration requests) please use the format given below to file your complaint under the RTI Act 2005 with your State Information Commission.

Date

To the

_____ Information Commissioner
(for address see [list of state information commissioners](#))

Sub: Complaint under section 18 of the right to information Act

I [your name] have (Please choose one)

Requested for the voluntary declaration under sec 4(1)(b) for the [name of department] under the Right to information Act 2005 vide letter dated (copy of letter attached) but the PIO/department has (please tick)

- Refused to accept the application
- Refused to provide the information
- Other (please specify)

Please proceed against the department/ PIO under section 18 of the right to information Act 2005 and provide me redress

I [your name] have applied under the right to Information Act 2005 section 6(1) as per the copy attached date [dd-mm-yyyy] however the PIO/department

Has refused to provide me the above information even XX days after submission of the application

- Has refused to accept the application
- Has refused to identify /appoint a PIO
- PIO is missing
- Has misguided the applicant by (Specify _____)
- Is asking unreasonable fees of Rs.____ for ____ no. of pages/CDs/Samples
- Others (Please Specify)

Please issue summons to HOD/PIO and provide me redress

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You're sincerely

[S/d-]

[Your name]

[Address]

Note: Remember to keep an acknowledged copy of you complaint with you for further follow up if required. You can send your complaint through RPAD to the concerned State Information Commission

7. Handling the Complaint in the State Information Commission

On filing your complaint you will receive date of hearing of your complaint or the State Information Commission will issue specific instruction to the PIO for giving the requested information. Ideally you could personally attend the hearing and appeal for maximum penalty under the Act against the PIO or alternatively follow up on your case on the IC's website.

After the IC's hearing you should receive information as per the instruction of the IC if the same still does not happen then intimate the IC using complaint letter format given in Chapter 6.
On receipt of information proceed to Chapter 8.

8. How to Use the Information Given

On receipt of information you can do the following

1. On the basis of information you have received you can file a complaint with the State Commissioner for People with Disability. For a detailed note on how to make complaints to the commissioner of PWD please see page x.
2. File a PIL (Public Interest Litigation) in court asking the court to take cognizance for the gross negligence of the concerned department and the concerned officers on this issue
3. File a complaint (physically or by Registered post) with the Under Secretary for State Department of Social Welfare/ for Disabled people and senior citizens stating clearly the details of the discrepancy detected please attach copies of the documents that you have received from the filing of your RTI application and stating the reality that exists in the school.

To
The Under Secretary
Department of Social Justice
Address

This is to inform you that we have filed an RTI application with regard to (mention the scheme) for the (name of School).

We have found that the scheme has been misused _____

(Mention clearly what discrepancy you have noticed)

You are requested to investigate the same and take appropriate action against the officers who have misused the funds for the same.

Signed
Address
Date

In case there is no discernable change after this complaint wait after month/fifteen days please file an RTI application given below

*

To



To PIO
Under Secretary
Department of Social Justice

*

Form A for requesting information under Right to Information Act 2005
Under section 6(1)

Name
Address
Information Required:
\$

With reference to the complaint submitted to the under secretary of the education department please provide the following information.

1. Please show the daily progress on the complaint I have submitted (copy of the complaint attached)
2. What is norm with regard to investigation of complaints. As per the department rules by what time should such an investigation be completed?
3. Who is officer/officers responsible for conducting this investigation
4. Please provide a copy of action taken report on the above complaint
5. If the investigation has not been conducted satisfactorily as per the department norms, what action should be taken against such officers. Please provide me a copy of the action taken report against this officer.

\$

Name, Place, date

I have submitted the initial application fees of Rs.10/- vide IPO no.

5. Take it to the press submit the copies/ photographs of these documents to establish your claim..

9. Chief Information Commissioners of States

State	Name	Address	Phone	Email/website
Andhra Pradesh	Shri. C D Arha	AP Secretariat Hyderabad - 500022	Off: +91-40 - 23452620	http://www.scic.ap.gov.in
Chattisgarh	Shri. A K Vijayavargiya	Nirmal Chhaya Bhavan Meera Datar Road Shankar Nagar Raipur - 492 001	Office: 0771-4024406 0771-4024140(Fax) Resi: 0771-2331012	akvijayvargiya@nic.in http://www.cg.nic.in/sic
Goa	Shri. A Venkatratnam	Shrama Shakthi Bhavan, Ground Floor, Patto Panaji, GOA. Pin 403 401	Office : 0832-2413774 Mobile : 09860287282	avr@nic.in http://egov.goa.nic.in/rtipublic/sic.aspx
Gujarat	Dr. P.K. Das	1st Floor, Bureau of Economics & Statistics Building, Sector-18, Gandhinagar-382018, Gujarat	Office: 079-23252701 Secretary: 079-23252966 Resi: 079-23230993	gscic@gujarat.gov.in
Haryana	Shri. G Madhavan	Chief Information Commissioner State Information Commission Haryana SCO No. 70-71 Sector 8C, Madhya Marg, Chandigarh	Office: 0172-2726568 (Tele-Fax) Resi: 0172-2793628	madhavang@hry.nic.in
Himachal Pradesh	Shri P.S. Rana	Room No.222,Armsdale Building HP Secretariat Shimla-171 002	Office: 0177-2621904 2880726 Resi : 0177-2812236 2652538	
Karnataka	Shri. K K Misra	3rd floor, 3rd Stage, Multistoried Buildings Dr.Ambedkar Road, Bangalore- 560 001. Ph.No.080-22371191	Off :+91-80 - 22371191 Fax:+91-80 - 22371192	scic@karnataka.gov.in http://www.kic.gov.in
Kerala	Shri. Palatt Mohandas	The Secretary Kerala State Information Commission Punnen Road Thiruvananthapuram - 695039 Kerala, India	Phone : 0471 - 2320920 Fax : 0471 - 2330920 Off: +91-471 - 2333147	
Madhya Pradesh	Shri. T N Shrivastava	Nirwahan Bhawan, Second Floor, 58, Arera Hills Bhopal - 462 011	Off: +91-755 - 2761367 Mobile: 9425365434	http://www.mpsic.nic.in
Maharashtra	Shri. Suresh Vinayakrao Joshi	15th Floor, New Administrative Building, Madame Cama Road, Opposite Mantralaya, Mumbai - 400 0032	Res: +91- 22 - 22022859 Off: +91-22 - 22856078 Mobile: +91-98215 25427	
Meghalaya	Shri. G P Wahlang	Meghalaya Secretariat, Shillong - 1	Off: +91-64 - 2226102	gpw@shillong.meg.nic.in
Mizoram	Shri. Robert Hrangdawla		Off: 2334833 Res:2316001 Mobile:	



Orissa	Shri. Dhirendra Nath Padhi	Orissa Soochna Commission, (Secretary), State Guest House Annexe, Room No. 44, Unit 5, Bhubaneswar 751001	9436140247 Off: 91-674 - 2534300	hon_scic@ori.nic.in http://orissasoochanacommission.nic.in
Punjab	Shri. Rajan Kashyap	131 Sector-10 Chandigarh - 160011	Off: +91-172-2740543 Off Fax: +91-172-2740543 Res Fax: +91-172-2740353	http://www.infocommpunjab.com
Tamil Nadu	Shri. S Ramakrishnan	No.89,Dr Alagappa Road, Purasaivalkam Chennai 600084		http://www.tn.gov.in/rti/sic.htm
Tripura	Shri. B K Chakraborty	Civil Secretariat, Agartala West Tripura - 799001	Off: +91-381 - 2218021 Mobile : +91-9436120039	scic-tic-tr@nic.in
Uttaranchal	Shri. R S Tolia	4 Subhash Road, 4th Floor Dehradun - 248001	Off: +91-135-2712100 2712200 2712079 Fax 2666779	
Uttar Pradesh	Justice Shri. Mohd Asgar Khan	6th Floor, Indira Bhawan, Ashok Marg Lucknow - 226001	Off : 0522-2288598, 0522-2235798, Telefax : 0522-2288600	
West Bengal	Mr.Arun Bhattacharya	Writers Building, Kolkata - 700001	Off: +91-33 - 22215858	

10. List of State Commissioners for People with Disabilities (as on July, 2006)

Sl.No	State	Name & Address es	Phone/Fax/Email
1.	Andhra Pradesh (independent charge)	Mr. Sayed Md. Yusuf, Commissioner, Disabilities, Govt. of Andhra Pradesh, 6 th Floor, Chandra Vihar, M.J. Road, Nampally, Hyderabad -500001 Ms. Vasuda Misra (Social Welfare)	Tel. 040-24619048, 24734873 (O) ® 3547785, 3545814, 3550058 Fax – 24734873, 24619048 Email: dw_cheyutha@yah oo.co.in (040) 23456852
2.	Arunachal Pradesh	Mr. T. Darang, Secretary & Commissioner (Disabilities), Deptt. of Social Welfare, Women & Child	Tel : 0360 – 2212391 (O) Fax : 2212161, (R)



		Development, Govt. of Arunachal Pradesh, Naharlagun, Itanagar-791111	2216487
3.	Assam	Shri Prasanta Bora, A.C.S. Commissioner for Persons with Disabilities, Government of Assam, Basistha, P.O. Basistha, Guwahati – 781 029, Assam	Ph. No- 0361- 2230683(O) Fax – 2230982, 2230683, 2260190 2233470 (R)
4.	Bihar	Ms. Sujata Chaturvedi Director & Commissioner, Disabilities Social Welfare Department, Old Secretariat, Sinchai Bhawan, Government of Bihar Patna – 800001	0612- 2211718, 2239707,2221251 Telefax - 2226906 Fax : 2227672
5.	Delhi	Mr. Anindo Majumdar, Commissioner, Disabilities & Secretary-cum-Director, Social Welfare Deptt. , Govt. of N.C.T. of Delhi Delhi Secretariat, I.P. Estate , 4 th Level, 'C' Wing , New Delhi – 110 002.	Ph. No- 011- 23392075, 23392124(O), 23319419 Fax :23392353
6.	Goa	Sh. Santosh Vaidya Secretary Social Welfare Commissioner, Disabilities Public Works Deptt., Head Office, Altinho, Panaji, Goa – 403 001	Telefax : 0832 – 2419405 (O), 2419603 (F)
7.	Gujarat (independent charge)	Shri Bhaskar Yogendra Mehta Commissioner Disabilities Deptt. Of Social Justice & Empowerment Government of Gujarat Old Vidhan Sabha Building 1 st Floor, Near Town Hall Sector - 17 , Gandhinagar – 382017	Ph No- 079- 23256746, (O), 23254919(R), Telefax – 23256746 Email : commi- pwd@gujarat.gov.i n
8.	Haryana (independent charge)	Shri B. Karora, Commissioner, Disabilities Social Justice & Empowerment Government of Haryana SCO No.68-70, Sector-17 A, Chandigarh	Telefax – 0172 – 2548347 23386131 Haryana Bhavan Director: A.K.



			Singh (0172) 2704212
9.	Himachal Pradesh	Mr. Bhim Sen Principal Secretary & Commissioner, Disabilities Deptt. Of Social Justice & Empowerment Govt. of Himachal Pradesh Shimla -171002	Telefax – 0177 – 2621867 Fax : 2622033 email : hp.nic.in Shri S.S. Guleria, Addl. Secretary (0177-2622064)
10.	Karnataka (independent charge)	Mr. L. Krishnamurthy Commissioner for Disabilities Government of Karnataka No.40, Thambuchetty Road, Cox Town, Bangalore – 560 005	O80- 25482639, 25482640, 2353991 (O) Fax : 25482641 discom@vsnl.net www.disabilityactin dia.org
11.	Kerala (independent charge)	Dr. N. Ahamed Pillai Commissioner and Ex-officio Secretary to Government of Kerala , Room No. 113, Secretariat Annexe, Thiruvananthapuram-12.	Ph- 0471-2518893, 2324004(O) Fax –2333115 (R)2444777 , 9846045618 P.K. Chandrika Devi, Administrative Officer 0471-2518929
12.	Madhya Pradesh (independent charge)	Dr. V.S. Niranjana, IAS Commissioner, Disabilities & Director Social Welfare Deptt, Govt. of Madhya Pradesh, 1250, Tulsinagar , Bhopal – 462003 Madhya Pradesh	Ph. No. 0755 - 2556916, 2778180, 2767279(O), 2465530 (R) Fax: 2552665, dpswbpl@mp.nic.i n
13.	Maharashtra (independent charge)	Mr. R.K. Gaikwad, IAS Commissioner, Disabilities Govt. of Maharashtra, 3, Church Road, Pune – 411001	Ph.No.020- 26122061, 26126471(O), Fax – 26111590



14.	Manipur	Shri I.S. Laishram Secretary Social Welfare & Commissioner, Disabilities Old Secretariat, Government of Manipur Imphal – 795001	Ph No- 0385- 2223076 (O), 2415797 (R), Fax –2222629
15.	Meghalaya	Mr. A. Mawlong, Commissioner, Disabilities Govt. of Meghalaya Social Welfare Department Temple Road, Lower Lachumiere Shillong, Meghalaya – 793 001	Ph. 0364- 2500772 Fax – 2225978, 2225187, 2227029
16	Mizoram	Shri Lalbiaktluanga Kiangte Secretary Social Welfare & Commissioner(Disabilities) Government of Mizoram Mizoram Civil Secretariat, Block 'D', Aizwal – 796 001	Ph. No- 0389- 2322253(O) 2345022(R) Fax No.201325
17	Nagaland	Shri D.K. Bhalla Secretary & Commissioner Disabilities Deptt. of Social Welfare & Women & Child Development , Nagaland Civil Secretariat Government of Nagaland, Kohima - 797001	Ph. No- 0370- 2270289(O), 2243316(R) Fax -2222410, 2272071, Director: Mr. Nochit: 2243312
18.	Orissa	Dr. Mona Sharma Secretary, Women & Child Development and Commissioner Disabilities Government of Orissa , Bhubaneshwar – 751001	Ph. No- 0674- 2536775 (O), 2536767(R), Fax -2396756, 2397142
19.	Punjab	Mr. R.L. Kalsia Secretary Social Welfare & Commissioner, Disabilities Govt. of Punjab , Room No. 607, 6th Floor , Mini Secretariat, Sector-9 Punjab, Chandigarh	0172-2742307(O), 2742243 – Ext. 510 (R) 5097500, 09872480384 Fax : 2740936
20.	Rajasthan	Smt. Kusal Singh, Commissioner, Disabilities	Telefax : 0141-



		<p>Ambedkar Bhawan, Behind Pant Krishi Bhawan Bhagwan Dass Road, Jaipur</p> <p>Shri C.S. Mutha, Additional Commissioner, Disabilities Social Welfare Deptt. Government of Rajasthan B-10, Jhalan, Institutional Area Ricem Building, Jaipur – 302015</p>	<p>2706462 (0)</p> <p>Ph.No.0141- 2707906 2742171(R)</p> <p>Fax : 2224471</p>
21.	Sikkim	<p>Shri Girmee Goparma, Secretary & Commissioner Social Welfare Department Government of Sikkim , Gangtok</p>	<p>Ph. No- 03592– 205596 (O)</p> <p>Fax - 201325</p> <p>Social Welfare Deptt. (03592) 203453</p>
22.	Tamil Nadu (independent charge)	<p>Shri Thuru V.K. Jeyakodi, I.A.S Commissioner, Disabilities, 15/1 Model School Road Thousand Lights Chennai - 600006</p>	<p>Ph. No- 044- 28290740(O) 24910303 (R) Fax – 28290365 Email: scd@tn.nic.in</p> <p>Mr. Sridharan – 9884044109 Mr. Manoharana – 9840185762</p>
23.	Tripura	<p>Shri S.K. Panda Prl. Secretary & Commissioner, Disabilities Social Welfare, Government of Tripura, Agartala - 799001</p>	<p>Telefax : 0381- 2325706(O) (R) 2325095</p> <p>Shri Chakraborty, Director, Social Welfare (2326033)</p> <p>SHIPARD – 2350613</p>



24.	Uttar Pradesh	Mr. Rohit Nandan Secretary, Disabled Welfare & Commissioner, Disabilities Room No. 123, Babu Bhawan Lucknow Dr. S.K. Avasthi, Dy. Commissioner	Telefax : 0522- 2237193(O) Fax : 2328004 0522-2209471 (R) AyuktViklanglan@ rediffmail.com 0522 – 2287050, 2322137
25.	West Bengal (independent charge)	Mr. Supriya Gupta Commissioner (Disabilities) and Jt. Secretary, Women & Child Devl., Govt. of West Bengal Office of the Commissioner for Persons with Disabilities, 45, Ganesh Chandra Avenue, Kolkata – 700 013	Ph. No- 033- 22374731 (O) 22375379 (Telefax) 24415300 (R) , K.S. Adhikari, Asstt. Commr. Tel : 22374731, Fax : 22375379
26.	Chandigarh	Mr. Krishna Mohan Secretary & Commissioner, Disabilities Social Welfare Deptt., Chandigarh Administration, Chandigarh – 160 019	0172-2741101 (O) 2741503, 2743006 (Fax) (R) 2794040
27.	Dadra & Nagar Haveli	Shri Vijay Kumar Director Social Welfare & Commissioner (Disabilities) Social Welfare Department Administration of Dadra & Nagar Haveli, Via – Vapi, Western Rly., Silvassa (P.O.)	Ph. No- 0260- 2396230(O), Fax – 2642787, 2642043
28.	Pondicherry	Mr. Selva Raju, Secretary & Commissioner (Disabilities), Social Welfare Department Government of Pondicherry, Pondicherry	Ph. No: 0413- 2334143, 2334144(O), 2251875 (R), Fax – 2224355 Director (SW) 2338828, 2338525



29.	Andaman & Nicobar Islands	Shri P.K. Gupta, Secretary, Social Welfare Department & Commissioner, Disabilities, Andaman & Nicobar Admn., Secretariat, Port Blair – 744 101	Ph. No- 03192- 233364 (O) Fax – 233181
30.	Lakshadweep	Shri G. Sudhakar, Director & Commissioner Disabilities Social Justice & Empowerment & Culture Lakshadweep Administration , Kavarati	Ph. No- 04896- 262314, 262547(O), Fax – 263657, 262140
31.	Daman & Diu	Shri Philip Thanglienmang, Commissioner, Disabilities Social Welfare Department, Collectorate, U. T. of Daman & Diu , Daman –396220	Ph. No.- 0260- 2230854 Social Welfare Department Fax : 0260- 2230440, 2230689
32.	Uttaranchal	Smt. Snehlata Agarwal, IAS Additional Secretary, Social Welfare Deptt. & Commissioner, Disabilities Govt. of Uttaranchal, Near Jogiwala Chowk, Infront of Rajeshwari Nursery, Haridwar Road, Dehradun	Phone: 0135- 2679012 Telefax : 0135- 2711226(O) E-Mail: snehagarwal9@hot mail.com
33.	Chattisgarh (independent charge)	Mr. Praful Vishwakarma Commissioner Disabilities Jila Panchayat Bhawan Durg – 49100, Chattisgarh	Ph: 0788- 2325470(O), 2212861(R), Fax: 2323735 Email : Commissioner dis abilities cg@yahoo .com
34.	Jharkhand	Mrs. Pooja Singhal Poorwar Commissioner Disabilities & Director, Social Welfare Department, Govt. of Jharkhand Ranchi, Jharkhand	Ph : 0651- 2400749(O), Fax : 2400893
35.	Jammu & Kashmir -	Shri B.L. Nimesh, Commissioner Disabilities & Principal Secretary Social Welfare Department , J&K, Civil Secretariat , Jammu	Telefax : 0191- 2542759(O) (R) 2451166,

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