

GOVT. OF BIHAR
DEPARTMENT OF SOCIAL WELFARE

No.-1/Sa.Su. Vi. Yo-02/2018 ...5/3.....

Patna, Date - 12/06/19

Notification

In exercise of the powers conferred by Section 101 of THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016, the Government of Bihar, Department of Social Welfare, Directorate of Social Security and Disability (now Directorate of Empowerment of Persons with Disabilities) has notified Bihar Rights of Persons with Disabilities Rule, 2017 Vide notification number 2/ Sa.Su. Vi.Yo-01/2017-1822 dated 19th December, 2017 and laid down the rules of Disability Certification process under Chapter –VI thereof. The said chapter of Bihar Rights of Persons with Disabilities Rule, 2017 at **Annexure I** shall supersede the rules for disability certification process vide Government of Bihar, Department of Social Welfare notification number 1/Sa.Su.Vi.Yo-04/10 S.W.

In pursuance of the provisions of sub-clause (ZC) of Section 2 of THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016, and in exercise of the powers conferred by sub-sections (1) and (2) of Section 57 of the said Act, the Government of Bihar, hereby specifies, for the purpose of issue of certificate of disability as mentioned in (ZC) of the said Section 2, the hospitals and institutions mentioned in column 3 of the table given below, as “medical authorities” for the types of disability mentioned in column 2 thereof, and further directs that the medical officer of the hospital/ institution as mentioned in Col. 4 shall be authorized to issue the disability certificate under his signature on behalf of the medical authority.

S. No.	Type of Disability	Hospital / Institution which is being specified as the “Medical Authority” for the purpose of the disability mentioned in Col. 2	Medical Officer working in the Hospital / Institution mentioned in Col. 3 who would be competent to issue certificate of disability.
1	2	3	4
1	(i) Locomotor Disability by way only of amputation or complete permanent paralysis of limbs. (ii) Blindness	(i) Govt. Medical Colleges (ii) District Hospital, Referral Hospitals, Civil Hospital, Civil Dispensary (run by MBBS doctor), Primary Health Centre (PHC) and Additional Primary Health Centre (APHC) under the State Government. (iii) Medical College (iv) Hospital / Dispensary run by Statutory Local Bodies	(i) Professor, Associate Professor and Assistant Professor of Orthopaedic or Neurology department in the Medical Colleges. (ii) Principal the Medical College, Superintendent of District Hospital, Deputy Superintendent of Sub divisional Hospital & Referral Hospital, In charge of PHC and ADPHC and In charge of the Civil Hospital and dispensary (refer by MBBS Doctors). (iii) Such doctor(s) working in other hospitals mentioned in col. 3 as may be authorized by an order of the head of such hospital.

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2	Multiple disability	(i) Govt. Medical Colleges (ii) District Hospitals and Referral Hospitals. (iii) Other Hospitals run by the State Govt. or Statutory Local bodies having (a) Specialists (b) necessary measurement/ assessment/ evaluation facilities in relevant fields (e.g. audiometric, optometric and other testing facilities. (IV) Bihar College of Physiotherapy and Occupational Therapy (Viklang Hospital, Kankarbagh, Patna (V) Buniyad Kendra including Mobile Outreach & Therapy Van (under State Society for Ultra Poor and Social Welfare- "SAKSHAM", Social Welfare Department, Bihar) (VI) Resource Centre(under Bihar Education Project Council, Education Department, Bihar) (VII) Military Hospital Danapur, Patna, Paharpur and Gaya (VIII) Composite Regional Centre(CRC), Patna	A Medical Board as may be specified by Medical Superintendent of Medical College, Superintendent / Civil Surgeon – cum – Chief Medical Officer of District Hospital,, Deputy Superintendent of Sub divisional Hospital & Referral Hospital headed by a senior specialist and consisting of Doctors with post-graduate degree in disciplines dealing with relevant disabilities with minimum 5 years of services.
3	Disabilities not mentioned at S. No. 1 & 2 above (Viz. a) locomotor disability conditions not mentioned above including leprosy cured, cerebral palsy, dwarfism, muscular dystrophy & acid attack victims, b) low vision, c) hearing impairment including deaf and hard of hearing, d) speech and language disability, e) intellectual disability including specific learning disabilities, f) mental illness, g) disability caused due to chronic neurological conditions- multiple sclerosis & Parkinson's disease, h) disability caused due to blood disorder- Sickle Cell Disease, Thalassemia & Haemophilia	(i) Govt. Medical Colleges (ii) District Hospitals and Referral Hospitals. (iii) Other Hospitals run by the State Govt. or Statutory Local bodies having (a) Specialists (b) necessary measurement/assessment/ evaluation facilities in relevant fields (e.g. audiometric, optometric and other testing facilities. (IV) Bihar College of Physiotherapy and Occupational Therapy (Viklang Hospital, Kankarbagh, Patna (V) Buniyad Kendra including Mobile Outreach & Therapy Van (under State Society for Ultra Poor and Social Welfare- "SAKSHAM", Social Welfare Department, Bihar) (VI) Resource Centre (under Bihar Education Project Council, Education Department, Bihar) (VII) Military Hospital Danapur, Patna, Paharpur and Gaya (VIII) Composite Regional Centre(CRC), Patna	A Doctor having a Post graduate degree in the discipline dealing with the relevant disability with minimum 5 years of services.
4	Autism Spectrum Disorder	(i) Govt. Medical Colleges (ii) District Hospitals and Referral Hospitals. (iii) Other Hospitals run by the State Govt. or Statutory Local bodies having (a) Specialists (b) necessary measurement/assessment/ evaluation facilities in relevant fields (e.g. audiometric, optometric and other testing facilities. (IV) Bihar College of Physiotherapy and Occupational Therapy (Viklang Hospital, Kankarbagh, Patna.	A Doctor having a Post graduate degree in the discipline dealing with the relevant disability with minimum 5 years of services.

		(V) Buniyad Kendra including Mobile Outreach & Therapy Van (under State Society for Ultra Poor and Social Welfare- "SAKSHAM", Social Welfare Department, Bihar)	
		(VI) Resource Centre (under Bihar Education Project Council, Education Department, Bihar)	
		(VII) Military Hospital Danapur, Patna, Paharpur and Gaya	
		(VIII) Composite Regional Centre(CRC), Patna	

Note:-

- (i) For the purpose of assessing for evaluation and certification; the extent of mentioned specified disabilities in respect of categories mentioned at S. No. 1, 2 and 3 in Col. 2 of the table above, the Notified Guidelines for evaluation and procedure for certification of various specified disabilities Vide Government of India, Ministry of Social Justice & Empowerment, Department of Empowerment of Persons with Disabilities, New Delhi Notification No. S.O.76 (E) dated 4th January, 2018 published in the Gazette of India on 5th January, 2018 will be effective.
The said guidelines for the purpose of assessing disabilities at **Annexure II** shall supersede the guidelines for evaluation of various disabilities and procedure for certification vide Government of India, Ministry of Social Justice and Empowerment notification number 16-18/97-NI I. dated the 1st June 2001 and the guidelines for evaluation and assessment of mental illness and procedure of certification vide Government of India, Ministry of Social Justice and Empowerment notification number 16-18/97-NI dated the 18th February 2002, except as respects things done or omitted to be done before such supersession.
- (ii) For the purpose of assessing for evaluation and certification the extent of mentioned specified disabilities in respect of categories mentioned at S. No. 4 in Col. 2 of the table above, the Notified Guidelines for evaluation and assessment of Autism and procedure for certification Vide Government of India, Ministry of Social Justice & Empowerment, Department of Empowerment of Persons with Disabilities, New Delhi notification number 16-21/2013-DD-III dated 25th April, 2016 at **Annexure III** will be effective.
- (iii) In respect of categories mentioned at S. No. 2 and 3 in Col. 2 of the table above, if in a Hospital mentioned in Col. 3, a doctor with a PG degree in the relevant discipline is not available, the Head of such Hospital may utilize the services of retired Govt. specialists or other private specialist practicing at that place or elsewhere in the district or a specialist from nearby medical colleges and having requisite qualifications. However, in case of services taken from a non-government specialist, the certificate will be valid only when countersigned by the Chief Medical Officer or authorised Medical Officer by Chief Medical Officer in case of District Hospitals or head of other hospitals mentioned in Col. 2 of the table above against item 2 and 3.
- (iv) Likewise, if a Hospital mentioned above does not have the requisite assessment facilities, the Head of such Hospital may use the facilities of a non-Government laboratory/ testing facility located at the place or at a nearby place in the District.
- (v) Assistance of Para-medics/Rehabilitation Professionals for issuance of disability certificate: Specialists mentioned in the Rules may, utilize the services / assistance of Para-Medics/ Rehabilitation professionals according to the following, if locally available, that assessment of disability is faster and smoother.
- (vi) In exercise of the powers conferred by Section 38. (1) assessment of any person in need of high support with benchmark disability will be done Vide Government of India, Ministry of Social Justice & Empowerment, Department of Empowerment of Persons with Disabilities, New Delhi Rights of Persons with Disabilities (Amendment) Rules, 2019 notification number G.S.R.209(E) at **Annexure IV**
- (vii) The Schematic presentation of Certification process & generation of UDID card at **Annexure V**

Categories of Disabilities for Certification and Assisting Para-medical/ Rehabilitation Professionals:

Categories of Disabilities	Types of Disabilities	Total No. of Disabilities	Assisting Paramedic/Rehabilitation Professional
I. Locomotor Disability	i. Locomotor Disability ii. Leprosy cured person iii. Cerebral Palsy iv. Dwarfism v. Muscular Dystrophy vi. Acid attack victims	6	Occupational Therapist / Physiotherapist
II. Visual Impairment	i. Blindness ii. Low Vision	2	Optometrist with required facility
III A. Hearing Impairment	i. Deaf ii. Hard of Hearing	2	Audiologist/Speech Pathologist having access to audiometric lab facility/ resources centre
III B. Speech and Language Disability	Speech and Language Disability	1	
IV. Intellectual Disability	Intellectual Disability	1	Psychologist/Concerned Special Educator
	Specific Learning Disabilities (SLD)	1	Psychologist/Special Educator
V. Mental Illness	Mental Illness	1	Psychologist/Clinical Psychologist
VI. Disability caused due to Chronic Neurological Conditions	i. Multiple Sclerosis ii. Parkinson's disease	2	Occupational Therapist / Physiotherapist
VII. Disability caused due to blood disorder	i. Sickle Cell Disease ii. Thalassemia iii. Haemophilia	3	
VIII. Multiple Disabilities	Combination of two or more disabilities mentioned below:- 1. Blindness 2. Low - vision 3. Leprosy cured persons 4. Hearing Impairment (deaf and hard of hearing) 5. Locomotor disability 6. Dwarfism 7. Intellectual disability 8. Mental illness 9. Autism spectrum disorder 10. Cerebral Palsy 11. Muscular dystrophy 12. Chronic Neurological Conditions 13. Specific Learning Disabilities 14. Multiple Sclerosis 15. Speech and language disability 16. Thalassemia 17. Haemophilia 18. Sickle Cell Disease 19. Acid attack victims 20. Parkinson's Disease	1	Concerned Rehabilitation/ Paramedical Personnel
IX. Autism Spectrum Disorder	Autism Spectrum Disorder	1	Psychologist/Concerned Special Educator

Explanation: - In this notification

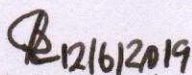
- (i) "Primary Health Centre" means Health Centre situated at block level.
- (ii) "Referral / Sub Referral Hospital / Sub-Divisional Hospital" means hospital situated at sub-divisional level.
- (iii) "Civil Hospital / District Hospital" means situated at district hospital.
- (iv) Buniyad Kendra are social care service centres run by State Society for Ultra Poor and Social Welfare (SAKSHAM) under Department of Social Welfare, Govt. of Bihar to provide high quality care, support and rehabilitation services for persons with disabilities, the elderly and widows in 101 sub-divisions across the state. Among the 101 sub-divisional centres, 38 Buniyad Centres located in district headquarters would function as the District level Buniyad Centre. All centres are equipped with specialized diagnostic and therapeutic equipment having paramedic / rehabilitation professional and necessary measurement / assessment/evaluation facilities in relevant field (e.g. audiometric, optometric, manual muscle power testing and other testing facilities for the purpose of assessment of disabilities.
- (v) Mobile Therapy & Outreach Vans (named Buniyad Sanjeevni Sewa) located at the District level Buniyad Kendra, 38 in the state are fully equipped with specialized diagnostic & therapeutic equipment and audio – visual systems cater to the needs of outreach services in the state provide direct care and support services, such as assessment and disability determination, therapeutic and counselling services having paramedic / rehabilitation professional and necessary measurement / assessment/evaluation facilities in relevant field (e.g. audiometric, optometric and other testing facilities for the purpose assessment of disabilities.
- (vi) Resource Center refers to the day care center for Children with Disabilities between age group of 06 to 18 years, runs under Samagra Shiksha Abhiyan of Inclusive Education in 38 districts across the state under Bihar Education Project Council, Department of Education, Government of Bihar. All centres are equipped with specialized diagnostic and therapeutic equipments along with multi-disciplinary rehabilitation team of Physiotherapist, Occupational Therapist, Prosthetics & Orthotics, Audiologist, Assistant Audiologist-cum-Speech Therapist & Ear Mould Technician and Special Educators belonging to different categories of disabilities such as, Intellectual Disability, Hearing Impairment, Visual Impairment, Multiple Disabilities- Physical & Neurological and Deaf blindness.
- (vii) Composite Regional Centre for Persons with Disabilities (CRC) was established under The Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment, Government of India. This Centre at Sheikhpura (Old Dharamshala) near IGIMS Nursing College, Patna – 800014, Bihar is under the administrative control of National Institute for the Locomotor Disability (Divyangjan), Kolkata having tripartite functions of human resource development in the field of disability rehabilitation, research and services to the persons with all types of disabilities. The Centre is equipped with specialized diagnostic and therapeutic equipment having paramedic / rehabilitation professional and necessary measurement / assessment / evaluation facilities in relevant field (e.g. audiometric, optometric, manual muscle power testing, psychological assessment and other testing facilities for the purpose of assessment of disabilities.

(viii) "Statutory Local Body" means :-

- (a) A Panchayat as defined in clause (d) of Article 243 of the Constitution.
- (b) A Municipality as defined in clause (e) of Article 243 P of the Constitution and
- (c) Any other local body established by or under a law passed by the legislature of the State.

The State Government hereby, notifies certifying authorities for the purpose of Section 57 Section & section 38. (1) of THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016 and UDID portal www.swavlambancard.gov.in – the online platform for Disability Certification and Unique Disability ID card generation.

By the order of Governor of Bihar

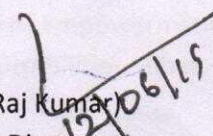

(Sanjay Kumar)
Principal Secretary,
Health Department


(Atul Prasad)
Additional Chief Secretary,
Social Welfare Department

Memo No.-1/Sa.Su. Vi. Yo-02/20185/3.....

Patna, Dated 12/06/19

Copy to :- Superintendent, Government Printing Press, Gulzarbagh, Patna for publishing in the extra ordinary Gazette of the State Government for information for all. It is requested to send 5000 copy of this in English and Hindi to this department at earliest.


Raj Kumar
Director

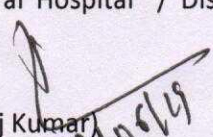
Directorate of Empowerment of
Persons with Disabilities, Bihar, Patna
-cum-

State Administrator, UDID

Memo No.-1/Sa.Su. Vi. Yo-02/20185/3.....

Patna, Dated 12/06/19

Copy to :- Principal Secretary / Secretary of department / all Department Head / CEO, State Society for Ultra Poor and Social Welfare "SAKSHAM" / SPD, Bihar Education Project Council / Executive Director, State Health Society, Bihar-cum-State Administrator, UDID / Special Secretary, Department of Revenue & Land Reform-cum-State Administrator, UDID / Divisional Commissioner / all D.Ms / all Civil Surgeons-cum-District Administrator, UDID / all Divisional Deputy Director/ all Assistant Director, District Social Security / Disability Empowerment Cell-cum-District Administrator, UDID-cum-District Nodal Officer, Buniyad Kendra / all Principal, Govt. Medical Colleges / Principal, Bihar College of Physiotherapy and Occupational Therapy (Viklang Hospital, Kankarbagh, Patna) / all District Manager/Center Manager, Buniyad Kendra / All District Education Officers / all DPOs Bihar Education Project / CRC, Sheikhpura (Old Dharamshala) near IGIMS Nursing College, Patna – 800014 / Military Hospital, Danapur, Patna and Military Hospital, Paharpur, Gaya / All In-charge of Primary Health Centres / Additional Primary Health Centres / Civil Dispensary / Referral Hospital / District Hospital / Sub-Divisional Hospitals for information and necessary action.


(Raj Kumar)
Director

Directorate of Empowerment of
Persons with Disabilities, Bihar, Patna
-cum-

State Administrator, UDID

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Copy to :- Secretary/Joint Secretary, Ministry of Social Justice and Empowerment, Govt of India, New Delhi for information.

(Raj Kumar)
Director

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Persons with Disabilities, Bihar, Patna
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Patna, Dated 12/06/19

Copy to :- Private Secretary to Honourable Minister Social Welfare / Principal Secretary, Department of Social Welfare for information.

(Raj Kumar)
Director

Directorate of Empowerment of
Persons with Disabilities, Bihar, Patna
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State Administrator, UDID