

ANNEXURE I

Status Report in respect of Independent Commissioner as on 25.11.2023

Sr.No	<u>Name of the States/UTs to appoint independent commissioners as per order dated 17.07.2023</u>	<u>Status with regard to their appointment as of 14.09.2023</u>	<u>Status as on 25.11.2023</u>
1	Andaman and Nicobar islands	Applications invited during 2019-20 through UT and Mainland newspapers and no participating candidates were found eligible for the post. The Advertisement again published in UT and in national newspapers of Chennai, Vizag and Kolkata editions on 5 th September 2023. The last date for receiving applications is 25 th September 2023. Presently Director (Social Welfare) is performing duties of commissioner (Disabilities) as notified vide notification dated 3 rd November 1998.	Under process
2	Andhra Pradesh	State of Andhra Pradesh vide G.O.Ms.No.6, Dt:13.04.2020 of Dept. for WCDA& SC (Prog.II), issued orders designating the Director, WDA, TG	Under process

		& SC, as the State Commissioner for the Persons with Disabilities. In consonance with the orders of the Hon'ble Supreme Court the proposal for appointment of Independent State Commissioner is under consideration of the Government	
3.	Chandigarh	Under Process. However, the Additional Charge of State Commissioner for Persons with Disabilities is given to the Secretary Social Welfare, Women & Child Development, Chandigarh Administration	Under Process
4.	Chhattisgarh	Appointment of Independent Commissioner is under process. Presently the post is held on additional charge basis	Under process
5.	Dadra and Nagar Haveli and Daman and Diu	State Commissioner appointed vide notification number SW/RPwD-Committees/2022-23/298 dated 23/05/2023.	Appointed
6.	Himachal Pradesh	In compliance of Section 79 of the PwDs Act 2016, the Secretary, Social Justice and Empowerment to the Government of HP has been appointed as the State Commissioner for the Persons with Disabilities vide this department notification No.SJE-B-E003/1/2023 dated 30.08.2023	Appointed
7.	Jharkhand	Applications have been invited for appointment of	Under Process

		Independent Commissioner for PwDs. The appointment will be completed by 30 th September 2023. Presently Additional Secretary, Department for Women, Child Development and Social Security has been given the additional charge of State Disability Commissioner	
8.	Karnataka	The government of Karnataka has appointed Sri Das Suryawanshi as independent state commissioner for persons with disabilities in Karnataka vide notification number WCD/249/PHP/2020 dated 31.08.2023 and he has assumed the charge on 01.09.2023.	Appointed
9.	Ladakh	Being a new UT, Rules as per RPwD Act, 2016 are under notification. Presently, the post of State Commissioner is being held by Secretary, Social Welfare.	Appointed
10.	Lakshadweep	A Search Cum Selection Committee was formed and advertisement was issued locally in Lakshadweep on 16.08.2023 inviting applications for the post of state commissioner for PwDs. However, none of the applicants met the criteria prescribed for the said post. Director (SW & TA) is holding office currently. The post will now be re-advertised at the national level.	Under Process

11.	Punjab	Advertisement has been issued on 30.08.2023. The process for selection is under process	Under process
12.	Tamil Nadu	Independent Commissioner Appointed	Appointed
13.	Tripura	As on 31.08.2023, the process for appointment is under active consideration and the process is expected to be completed within one month	Under process

ANNEXURE II**Status Report as on 25.11.2023**

<u>S. No.</u>	<u>State/ Union Territories</u>	<u>Compliance to be done as per order dated 17.07.2023</u>	<u>Status as on 14.09.2023</u>	<u>Status As on 25.11.2023</u>
1.	Andaman And Nicobar Islands	Constitution of Assessment Board for high support needs - Chapter 5A of the RPwD Amendment Rules, 2019.	Health Department requested to constitute the Board	Under process
2.	Andhra Pradesh	Constitution of State Advisory Board - Section 66	The State Government of A.P. has constituted State Advisory Board vide G.O.Ms.No.19, Dt:04.05.2023 of the Department for WCDA& SC (Prog.II).	Constituted
		Constitution of Assessment Board for high support needs - Chapter 5A of the RPwD Amendment Rules, 2019.	The State Government of A.P. has constituted Assessment Board for high support needs vide G.O.Ms.No.36, Dt:23.08.2023 of the Department for WCDA& SC (Prog.II).	Constituted
		State fund for PwDs - Section 88	State Fund for PwDshave been	Created

			notified vide G.O.Ms.No.13 of Dept. for WCDA& SC (Prog.II) Dated 19.04.2023 under Rule 48 of the AP RPwD Rules, 2023.	
		Constitution of Committee for Research on Disability - Section 6 (2) (ii).	Committee for Research on Disability have been notified vide G.O.Ms.No.13 of Dept. for WCDA& SC (Prog.II) Dated 19.04.2023 under Rule 14 of the AP RPwD Rules, 2023.	Constituted
		Designated authority to provide limited guardianship - Section 14.	The Government of Andhra Pradesh has notified AP Rights of Persons with Disabilities Rules, 2023. Under Rule 4 (1) of AP RPwD Rules, 2023 the Collector and District Magistrate concerned districtis the designated authority for providing limited guardianship.	Designated
3.	Arunachal Pradesh	Designation of Special Court - Section 72	The state has been requested again on 14.09.2023.	Further updated development yet to be known
		Appointment of Public Prosecutor - Section 85		
		Constitution of Committee for Research on Disability - Section 6 (2) (ii)		

		Designated authority to provide limited guardianship - Section 14		
4.	Assam	Appointment of Nodal Officer in District Education office - the Sections 16, 17 and 31 of the RPwD Act, 2016 and Rule 7 of the RPwD Rules 2017.	Appointed.	Appointed.
		Constitution of Assessment Board for high support needs - Chapter 5A of the RPwD Amendment Rules, 2019.	Constituted	Constituted
		State fund for PwDs - Section 88	Under process	Constituted
		Designated authority to provide limited guardianship - Section 14	Designated	Appointed
5.	Bihar	Appointment of Nodal Officer in District Education office - Sections 16, 17 and 31 of the RPwD Act, 2016 and Rule 7 of the RPwD Rules 2017.	Nodal officers nominated in district education office.	Appointed
		Constitution of Committee for Research on Disability - Section 6 (2) (ii)	The committee has been constituted by the Social Welfare Department's letter no. 40 dated 11.08.2023 to formation of a committee at state level for disability research.	Constituted

6.	Chandigarh	Constitution of District Level Committees – Section 72	Constituted	Constituted
7.	Chhattisgarh	Designation of Special Court – Section 84	Constituted	Constituted
8.	Dadra and Nagar Haveli and Daman and Diu	Constitution of State Advisory Board – Section 66	Covered under Rule 39 of Dadra & Nagar Haveli and Daman & Diu Rights of Persons with Disabilities Rules, 2021. The Advisory Board is under progress.	Under process
		Constitution of District Level Committees – Section 72	Constituted	Constituted
		Appointment of Public Prosecutor – Section 85	Under process	Under process
		Appointment of Nodal Officer in District Education office – Section 16, 17 and 31 of the RPwD Act, 2016 and Rule 7 of the RPwD Rules, 2017.	Yes. Nodal officers in the Education Department for all the three districts have been appointed vide order no. DE/ADM/RPwD Act/2016/2023-24/2273 dated 30/06/2023	Appointed
		Constitution of Assessment Board for high support needs – Chapter 5A of the RPwD Amendment Rules,	Constituted	Constituted

		2019		
		State fund for PwDs - Section 88	Covered under Rule 59 of Dadra & Nagar Haveli and Daman & Diu Rights of Persons with Disabilities Rules, 2021. The same shall be done in due course of time.	Under process
		Constitution of Committee for Research on Disability - Section 6 (2) (ii)	Under process	Under process
9.	Delhi	State fund for PwDs - Section 88	Efforts are being made for creation of State Fund for PwDs under Section 88 of the RPwD Act, 2016. The matter has been taken up with the Office of Controller General of Accounts, Ministry of Finance, GOI for creation of fund in the Public Accounts Section. It has been communicated by them that the State Fund requires approval from the cabinet first and after that the opening of head of account will be initiated which will be done by the Office of Chief Controller of Accounts, Ministry of Finance.	Further updated development yet to be known

			Persistent efforts are being made for creation of State Fund for PwD	
10.	Goa	Appointment of Public Prosecutor – Section 85	Appointed	Appointed
		Appointment of Nodal Officer in District Education office – Section 16, 17 and 31 of the RPwD Act, 2016 and Rule 7 of the RPwD Rules, 2017.	Appointed	Appointed
		State fund for PwDs - Section 88	Created under Demand No. 89	Created
11.	Haryana	Appointment of Public Prosecutor – Section 85	Under process	Further updated development yet to be known
12.	Himachal Pradesh	Constitution of Assessment Board for high support needs - Chapter 5A of the RPwD Amendment Rules, 2019.	Constituted	Constituted
		State fund for PwDs - Section 88	Under Process	Further updated development yet to be known
13.	Jammu and Kashmir	Appointment of Public Prosecutor – Section 85	Appointed	Appointed
		Constitution of Assessment Board for high support needs – Chapter 5A of the RPwD Amendment Rules, 2019	Health and Medical Education Department requested. Under process	Further updated development yet to be known
		State fund for PwDs – Section 88	Under consideration	Further updated development yet to be known
		Constitution of Committee for	Health and Medical Education	Further updated development yet to be known

		Research on Disability - Section 6 (2) (ii)	Department requested. Under process	known
14.	Jharkhand	Appointment of Public Prosecutor – Section 85	Nominated	Appointed
		Appointment of Nodal Officer in District Education office – Section 16, 17 and 31 of the RPwD Act, 2016 and Rule 7 of the RPwD Rules, 2017.	Nominated	Appointed
		Constitution of Assessment Board for high support needs – Chapter 5A of the RPwD Amendment Rules, 2019	Under process	Constituted
		Constitution of Committee for Research on Disability - Section 6 (2) (ii)	Put up for approval of competent authority.	Constituted
15.	Karnataka	Constitution of Committee for Research on Disability - Section 6 (2) (ii)	Awaiting approval. The Committee for research on disability will be constituted before 30 th Sept 2023	Constituted
16.	Kerala	Constitution of District Level Committees – Section 72	Constituted	Constituted
		Constitution of Assessment Board for high support needs – Chapter 5A of the RPwD Amendment Rules, 2019	The state has been requested again on 14.09.2023.	Further updated development yet to be known
		State fund for PwDs – Section 88		

		Constitution of Committee for Research on Disability - Section 6 (2) (ii)		
17.	Ladakh	Notification of Rules – Section 101	Awaiting approval of MHA. Redrafted Rules are submitted again	Submitted to MHA for approval
		Constitution of State Advisory Board – Section 66	Not yet constituted, once the Rules are notified, the provisions shall be taken up	Be constituted once rules notified
		Constitution of District Level Committees – Section 72	Not yet constituted, once the Rules are notified, the provisions shall be taken up	
		Designation of Special Court – Section 84	Constituted	Constituted
		Appointment of Public Prosecutor – Section 85	Under process	Appointed
		Constitution of Assessment Board for high support needs – Chapter 5A of the RPwD Amendment Rules, 2019	Constituted	Constituted
		State fund for PwDs - Section 88	Shall be proposed once the Rules are notified	Be proposed once the Rules are notified
		Constitution of Committee for Research on Disability - Section 6 (2) (ii)	Not yet constituted, once the Rules are notified, the provisions shall be taken up	Be constituted once rules notified
		Designated authority to provide	In the draft Rules, Chief Judicial	In the draft Rules, Chief Judicial

		limited guardianship – Section 14	Magistrate has been designated as the authority	Magistrate has been designated as the authority
18.	Lakshadweep	Constitution of District Level Committees – Section 72	Constituted	Constituted
		Constitution of Committee for Research on Disability - Section 6 (2) (ii)	Constituted	Constituted
		Appointment of authority for registration of institutions working in disability sector - Section 49	Constituted	Constituted
19.	Maharashtra	Notification of Rules – Section 101	Rules published	To be read as Draft Rules published
		Appointment of Public Prosecutor – Section 85	Law and Judiciary Department has appointed Special Public Prosecutor	Appointed
		Appointment of Nodal Officer in District Education office - the Sections 16, 17 and 31 of the RPwD Act, 2016 and Rule 7 of the RPwD Rules 2017.	Constituted	Constituted
		Constitution of Assessment Board for high support needs – Chapter 5A of the RPwD Amendment Rules, 2019	Constituted	Constituted
		State fund for PwDs - Section 88	Constituted	Both these points are covered in the

		Designated authority to provide limited guardianship – Section 14	Constituted	draft of State Rules. Compilation and finalization of objection and suggestion received on Rules is in process
20.	Manipur	Appointment of Public Prosecutor – Section 85	The State Government has issued a notification in this regard on 05.10.2022	Appointed
		State fund for PwDs – Section 88	The necessary action for provision of State fund for PwD has been taken up	Constituted
		Constitution of Committee for Research on Disability - Section 6 (2) (ii)	The process has been taken up.	Constituted
21.	Meghalaya	State fund for PwDs - Section 88	Constituted	Constituted
22.	Mizoram	Appointment of Public Prosecutor – Section 85	Special public prosecutors were appointed in each designated courts for conducting cases falling under the said act	Appointed
		Constitution of Assessment Board for high support needs – Chapter 5A of the RPwD Amendment Rules, 2019	Constituted	Constituted
		State fund for PwDs - Section 88	Under process	Under process
23.	Nagaland	Appointment of Public Prosecutor – Section 85	Constituted	Constituted
		Appointment of Nodal Officer in District Education office - the	Constituted	Constituted

		Sections 16, 17 and 31 of the RPwD Act, 2016 and Rule 7 of the RPwD Rules 2017.		
		State fund for PwDs - Section 88	Constituted	Constituted
		Constitution of Committee for Research on Disability - Section 6 (2) (ii).	Constituted	Constituted
		Designated authority to provide limited guardianship – Section 14	Constituted	Constituted
24.	Odisha	Constitution of Assessment Board for high support needs - Chapter 5A of the RPwD Amendment Rules, 2019.	Notified on 15.07.2023	Constituted
25.	Punjab	Constitution of Committee for Research on Disability - Section 6 (2) (ii)	The state has been requested again on 14.09.2023.	Constituted
26.	Puducherry	Appointment of Nodal Officer in District Education office - Sections 16, 17 and 31 of the RPwD Act, 2016 and Rule 7 of the RPwD Rules 2017.	Appointed	Appointed
		Constitution of Committee for Research on Disability - Section 6 (2) (ii)	Under process	Constituted
27.	Rajasthan	Constitution of State Advisory Board – Section 66	Constituted	Constituted

		Constitution of Committee for Research on Disability - Section 6 (2) (ii)	Constituted	Constituted
28.	Sikkim	Appointment of Public Prosecutor – Section 85	Constituted on 04.09.2020	Constituted
		Constitution of Committee for Research on Disability - Section 6 (2) (ii).	The state government shall take up the matter and constitute committee at the earliest.	Under process
		Designated authority to provide limited guardianship – Section 14	Under process	Under process
29.	Telangana	Appointment of Public Prosecutor – Section 85	Constituted	Constituted
		Constitution of Assessment Board for high support needs – Chapter 5A of the RPwD Amendment Rules, 2019	Under process	Under process
30.	Tripura	Appointment of Nodal Officer in District Education office – Section 16, 17 and 31 of the RPwD Act, 2016 and Rule 7 of the RPwD Rules, 2017.	Appointed	Appointed
		State fund for PwDs- Section 88	Created	Created
31.	Uttarakhand	Appointment of Public Prosecutor - Section 85	Appointed	Appointed
32.	West Bengal	Designation of Special Court –	Judicial Department is moved for	Further updated development yet to be

		Section 84	notification of Special Court vide Memo No. 76/WCDSW/COM/144/2023, dated 10.07.2023, memo no. 94/WCDSW/20, Dt. 28.08.2020, memo no. 100/WCDSW/19, dt. 18.04.2019 and memo no. 376/WCDSW/18 dt. 22.11.2018 of the Department of WCD & SW. Judicial Department has forwarded the same to Registrar, Calcutta High Court for taking up the matter with Hon'ble Chief Justice for His consent.	known
		Appointment of Public Prosecutor – Section 85	Judicial Department is moved for notification of Appointment of Public Prosecutor vide Memo No. 76/WCDSW/COM/144/2023, dated 10.07.2023, memo no. 94/WCDSW/20, Dt. 28.08.2020, memo no. 100/WCDSW/19, dt. 18.04.2019 and memo no.	Further updated development yet to be known

			376/WCDSW/18 dt. 22.11.2018 of the Department of WCD & SW. Judicial Department has forwarded the same to Registrar, Calcutta High Court for taking up the matter with Hon'ble Chief Justice for His consent.	
		Constitution of Assessment Board for high support needs – Chapter 5A of the RPwD Amendment Rules, 2019	Constitution of Assessment Boards for High support needs for PwBDs for each district and KMC area have been notified.	Further updated development yet to be known
		State fund for PwDs - Section 88	Provision for manner of constitution, its utilization and management have been made in Rule – 17 of the West Bengal Rights of Persons with Disabilities Rules, 2018. Detailed guideline is under process.	Further updated development yet to be known
		Constitution of Committee for Research on Disability - Section 6 (2) (ii)	Provision has been made in Rule – 3 of the West Bengal Rights of Persons with Disabilities Rules,	Further development yet to be known

			2018. Detailed guideline is under process.	
		Designated authority to provide limited guardianship – Section 14	Provision has been made in Rule – 4 of the West Bengal Rights of Persons with Disabilities Rules, 2018. Detailed guideline is under process.	Further development yet to be known