

No. 21/43/2010-5HB5/2544
GOVERNMENT OF PUNJAB
DEPARTMENT OF HEALTH & FAMILY WELFARE
(HEALTH - 5 BRANCH)

To

All Heads of Departments,
Registrar Punjab & Haryana High Court, Chandigarh,
Commissioners of Divisions,
District & Sessions Judges,
Deputy Commissioner's in the State,
All Civil Surgeons in the State and
Principals Government Medical/Dental, Colleges, Amritsar,
Faridkot and Patiala.

Dated, Chandigarh: 15-9-2011

Subject- Revised Guidelines for issuance of Disability Certificates

Government of India, Ministry of Social Justice and Empowerment vide their DO No. 16-02/2007-DD-III dated 15/2/2010 informed the State Governments that they had constituted a committee in May 2007 for simplification and streamlining of the procedure for issue of disability certificate and that the recommendations of the Committee had been accepted. State Governments were asked to: -

- (i) Amend the rules issued under 'Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act No. 1 of 1996)'.
- (ii) Decentralize the authorities for issue of certificates. Earlier the certificates were being issued by the medical board comprising of at least 3 members. Under the simplified procedure, a medical certificate could be issued by a single doctor in case of permanent paralysis of limbs and blindness, by a single specialist doctor in case of a single disability and by a committee of specialists in case of multiple disability. Multiple member board would be required only for multiple disabilities and not for single disability or obvious disability like paralysis and others.
- (iii) The incharge of hospital issuing certificate could seek the help of specialist and testing facilities of nearby hospitals of higher category.

2. The Department of Social Security and Women and Child Development, Government of Punjab vide notification dated 7/6/2011 notified

"The Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Punjab (1st Amendment) Rules, 2011". Basically, some amendments have been carried out in definitions under Rule 2 and Chapter 2 and various forms have been prescribed. A copy of the amendment rules is enclosed herewith. The forms attached with the above rules have accordingly been amended taking into consideration the Government of India guidelines and the new amended rules. The Department of Health & Family Welfare hereby directs that disability certificate in the State of Punjab should be issued as per guidelines in the following paragraphs.

3. **Disabilities-** The disabilities for which certificate can be issued have been prescribed in section 2(I) of the Disability Act 1995. Disabilities are: -

1. Blindness
2. Low Vision
3. Leprosy
4. Hearing Impairment
5. Locomotive Disability
6. Mental Retardation
7. Mental Illness

There is some confusion among the doctors and in some cases certificates for disability other than those prescribed above have been issued. No disability certificate would be issued for any disability other than 7 disabilities mentioned above.

4. **Application-** An application for obtaining disability certificate will be submitted in Form-I under rule 3(1) of amended Rules, 2011. A copy is enclosed *with notification.*

5. **Submission of Application-** The State Government through a separate notification No. 21/43/2010-SHS/2539 dated *15-9-2011* have notified the hospitals and the medical authorities who are competent to issue the disability certificates. Briefly: -

- (1) **Obvious Disability-** For obvious disability like amputation, complete permanent paralysis and blindness, the disability certificate would be issued by all the health institutions i.e. Primary Health Centres, Community Health Centres, Sub-Divisional Hospitals and District Hospitals by a single doctor. If a Medical Officer finds difficulty in assessing the percentage of disability as

per guidelines issued by Ministry of Social Justice & Empowerment. Government of India dated 1/6/2001, he can consult a Government senior specialist.

- (2) **Multiple Disability-** The certificate for multiple disabilities would be issued by all the Sub-Divisional Hospitals and District Hospitals through a multiple member board comprising of specialists of all the relevant disabilities.
- (3) **Single Disability-** For single disability the certificate would be issued by Community Health Centres, Sub-Divisional Hospitals and District Hospitals by the specialist having at least 3 years of experience in that speciality.

The application for disabilities would be accepted in all these health institutions as per notification cited above.

6. **Issue of Disability Certificates-** On receipt of an application the disability certificates would be issued either in Form-II (Obvious Disability), Form-III (Multiple Disability) or on Form-IV (Single Disability) within a period of one week from the date of receipt of application by the medical authority.

The medical authority in case of multiple disability and single disability shall give a permanent disability certificate in cases where there are no chances of variation over a period of time or indicate the period of validity in the certificate in cases where there is any chance of variation over a period of time in Form-III or Form-IV. A copy of disability certificate issued by the medical authority shall simultaneously be sent by medical authority to the office of Civil Surgeon.

7. **Rejection of Application-** If applicant is found ineligible for issue of disability certificate, the medical authority shall explain the reasons for rejection of the application and shall also convey the same to the applicant in writing in Form-V (see Rule 4).

8. **Review of decisions regarding disability certificates-** Any applicant for a disability certificate who is aggrieved by the nature of a certificate issued to him, or by refusal to issue such a certificate in his favour, as the case may be, may make an application to the Civil Surgeon of the concerned district in this regard. The application for review shall be accompanied by a copy of disability certificate or the letter of rejection being appealed against.

The Civil Surgeon on receipt of application would hear the appellant and pass such orders on his appeal. The Civil Surgeon is at liberty to constitute a multiple medical board comprising of specialists of the concerned disabilities and also refer the appellant to medical colleges or other hospitals for testing facilities. Civil Surgeon would pass the detailed orders on the appeal after taking all relevant factors into consideration.

9. **Guidelines for Assessment of Disabilities-** Assessment of disability would be made as per the following guidelines: -

- Notification No. 16/18/97-NI.1 dated June 1, 2001 issued by Ministry of Social Justice & Empowerment on assessment and evaluation of different types of disability for all hospitals, institutions and specialist doctors being authorized to issue disability certificates for the first time have been placed on the website of Department of Health & Family Welfare <http://pbhealth.gov.in/acts.html> and one hard copy of guidelines has already been sent to all Civil Surgeons of Punjab.
- Notification No. 16-18/97-NI-1 dated 18/2/2002 for assessment of mental illness issued by Ministry of Social Justice & Empowerment, Govt of India. A copy of these 2 notifications are enclosed herewith and also placed on the website <http://pbhealth.gov.in/acts.html> of Department of Health & Family Welfare.
- The list of these 2 notifications along with clarifications has been compiled in a booklet form by the National Institute for Orthopaedically Handicapped Calcutta and The Chief Commissioner of Disabilities of GOI. This booklet may also be helpful to the medical authority while assessing the level of disability. A copy of booklet is also enclosed herewith and placed on website of Health Department <http://pbhealth.gov.in/acts.html>.

10. **General Guidelines-** The health authorities are directed to comply with the following general guidelines while issuing disability certificates.

- (1) **Display of Information on the procedure for issue of disability certificate in the hospital and institutions-** A notice board should be prominently displayed in each PHC, CHC, Sub-Divisional Hospital and District Hospital indicating the procedure for issue of

