



कर्मचारी भविष्य निधि संगठन

(श्रम मंत्रालय, भारत सरकार)

Employees' Provident Fund Organisation
(Ministry of Labour, Govt. Of India)

मुख्य कार्यालय/ Head Office

भविष्य निधि भवन, 14-भिकाजी कामा प्लेस, नई दिल्ली-110066

Bhavishya Nidhi Bhawan, 14-Bhikaji Cama Place, New Delhi-110066

SPEED POST

No. Coord/Misc/2007

3907

Date:

8 MAY 2008

To

All Regional PF Commissioners – 1,
In-charge of the Regions.

Sub:- Incentives to employers in the private sector for providing regular employment to the persons with disabilities- regarding.

Sir,

To promote employment of persons with disabilities in the private sector, the Central Government has approved an incentive scheme to employers in the private sector for providing employment to the persons with disabilities (Copy of the incentive scheme is enclosed).

Under the scheme, the employees with disabilities covered under the persons with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 and working in the private sector, with monthly wage upto Rs.25,000/- per month would be covered. The scheme would be applicable to all the employers of employees with disabilities, who are appointed on or after 01.4.2008.

The employer shall be given incentive to give employment to persons with disabilities. Incentive shall be in the form of payment by Government of the employer's contribution to the Employees Provident Fund and Employees State Insurance for the

first three years. The administrative charges of 1.1% of the wages of employees covered under the Employees' Provident Fund & Miscellaneous Provisions Act, 1952 will continue to be paid by the employer.

In order to implement the incentive scheme, the Central Government has incorporated enabling provisions in the Employees Provident Fund Scheme, 1952 by inserting paragraph 82 vide Ministry of Labour and Employment Notification No. G. S. R. 253 (E) published in the Gazette of India Extraordinary dated 31.3.2008. Similar provision have also been inserted in paragraph 4 and paragraph 24 of the Employees' Pension Scheme 95 vide Ministry of Labour and Employment Notification No. G.S.R. 252 (E) dated 31.3.2008 (Copy of both the Notifications are enclosed).

The incentive scheme as approved by the Central Government has now to be implemented in right earnest by all the field offices of Employees' Provident Fund Organization and the following directions are issued for compliance:

- i) The incentive scheme be brought to the notice of all concerned including the State Chambers of Commerce & Industry, District Industry Centres, Employment Exchanges, Special Employment Exchanges, Vocational Training Centres etc. so that persons with all types of disabilities get opportunity for employment in the private sector.
- ii) The employers would be allowed to avail benefit under the incentive scheme on submitting the details of employees in the form specially prescribed for the purpose (Copy enclosed) alongwith a copy of the disability certificate (standard formats of the certificate prescribed by Ministry of Social Justice and Empowerment enclosed) issued to the disabled employee by the Competent Authority under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996, (copy indicating the definition of disability under the relevant Acts enclosed) first time when such benefits are claimed.

iii) The administrative charge of 1.1% of the wages of the employee covered under the Employees' Provident Fund & Miscellaneous Provisions Act, 1952 will continue to be paid by the respective employers.

iv) For the purpose of adjustment of individual claims received from the employers under the incentive scheme, it is directed that RPFC (In-Charge of the Region) should compile the details of all such claims in his Region alongwith the consolidated amount of incentive by 25th day of the following month and forward it to Head Office.

v) IS Division of Head Office is being requested to devise a programme for on-line monitoring of the scheme from Head Office and the same shall be intimated in due course. Till that time the Regions should keep fool proof manual record (Registers) containing the details of the employers / employees, their date of appointment, wage, subsidies claimed, general compliance position of the establishment etc. so that any information connected to the implementation of the incentive scheme / compliance position of such establishments are readily available at any point of time.

Yours faithfully



(A. Viswanathan)

Central Provident Fund Commissioner

Copy to:

1. FA & CAO & All Zonal Audit Offices
2. CVO and All zonal vigilance directorates
3. All Addl. CPFCs (HO/Zones)
4. NATRSS& All Zonal Training Institutes
5. All RPFCs in charge of Regions/SROs
6. All RPFCs of the Head Office / NDC
7. All APFCs of the Head Office
8. All Sections Officers in the Head Office / NDC
9. All EOs in the Head Office
10. Secretary General, EPF Officers Association , Head Office
11. Secreary General, EPF Staff Federation
12. General Secretary, EPF Staff Union, Head Office
13. Coal Mines P.F. Commissioner, Dhanbad
14. PS to CPFC
15. Hindi Cell
16. General file

SCHEME FOR PROVIDING EMPLOYMENT TO PERSONS WITH DISABILITIES IN THE PRIVATE SECTOR

The scheme of giving incentives to employers, for providing employment to persons with disabilities in the private sector, as approved by the Government would be as under: -

- | | | | |
|-------|--------------------|---|---|
| (i) | Total Outlay | : | Rs.1800 crore for the 11 th Five Year Plan |
| (ii) | Sector covered | : | Private Sector |
| (iii) | Jobs to be created | : | 1 lakh per annum |
| (iv) | Salary limit | : | Employees with disabilities, with monthly wage up to Rs.25000/- per month, working in the private sector would be covered. |
| (v) | Incentives | : | Payment by Government of the employer's contribution to the Employees Provident Fund and Employees State Insurance for the first three years. The administrative charges of 1.1% of the wages of the employees covered under the Employees Provident Fund & Miscellaneous Provisions (EPF&MP) Act will continue to be paid by the employer. |

2. Conditions: -

A. The scheme will be applicable to the employees with disabilities:-

(i) Covered under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999.

(ii) In the private sector all over India on enrolment of the employees in Employees Provident Fund (EPF) and the Employees State Insurance (ESI), under the Employees Provident Fund and Miscellaneous Provisions Act, 1952 and Employees State Insurance Act, 1948 respectively. In the State of Jammu and Kashmir, the employees would be registered in EPF under the J&K Employee Provident Fund and Miscellaneous Provision Act, 1961.

(iii) Appointed on or after 1.4.2008.

B. The employers would submit a copy of the disability certificate, issued to the disabled employee by the Competent Authority under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996, first time when such benefit under EPF and ESI is claimed.

C. The Government will directly provide employer's contribution for the schemes covered under the Employees Provident Fund & Miscellaneous Provisions Act, 1952 and

the Employees State Insurance Act, 1948. This will be done in respect of employees for a maximum period of three years. The administrative charges of 1.1% of the wages of the employees covered under the EPF Act will continue to be paid by the respective employers.

3. The Ministry of Social Justice & Empowerment would make available to the Employees Provident Fund Organisation and Employees State Insurance Corporation lump sum funds by way of advance. These would be used for the purposes of adjustment of individual claims received from the employers under the scheme. The amount with the organizations would be replenished periodically. Initially both the organisations would be provided Rs. 5 crore each and considering the requirement, the amount would be subsequently enhanced. The advance amount would be subject to quarterly review by the high level committee to be set up.

4. To monitor the implementation of the scheme, a high level Committee Co-chaired by the Ministries of Labour & Employment and Social Justice & Empowerment would be constituted. The composition of the Committee will be as follows:

- (a) Secretary, Ministry of Labour and Employment – Chairman
- (b) Secretary, Ministry of Social Justice and Empowerment- Co-Chairman
- (c) Joint Secretary, M/Labour & Employment - Member
- (d) Chief Provident Fund Commissioner of Employees Provident Fund Organization – Member
- (e) Commissioner, Employees State Insurance Corporation- Member
- (f) Joint Secretaries & Financial Advisors from the Ministries of Social Justice & Empowerment and Labour & Employment- Member.
- (g) Joint Secretary level officer in Ministry of Social Justice & Empowerment - Member Secretary.

5. The Committee would meet periodically, as per requirement, with a minimum sitting of once in a quarter and consider various issues necessary for the smooth functioning of the scheme.



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
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नई दिल्ली, सोमवार, मार्च 31, 2008/चैत्र 11, 1930
NEW DELHI, MONDAY, MARCH 31, 2008/CHAITRA 11, 1930

भ्रम और रोजगार मंत्रालय
अधिसूचना
नई दिल्ली, 31 मार्च, 2008

सा.का.नि. 252(अ).—कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 7 की उप-धारा (1) के साथ पठित धारा 6क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा कर्मचारी पेंशन योजना, 1995 में और आगे संशोधन हेतु निम्नांकित योजना बनाती है, अर्थात् :—

1. (1) इस योजना को कर्मचारी पेंशन (संशोधन) योजना, 2008 के नाम से जाना जाए।
- (2) यह योजना 1 अप्रैल, 2008 से प्रभावी होगी।
2. (1) कर्मचारी पेंशन योजना, 1995 के पैरा 4 में उप-पैरा (2) के पश्चात् निम्नलिखित परंतुक शामिल किया जाएगा, अर्थात् :—

“बशर्ते कि, केन्द्र सरकार उस कर्मचारी के संबंध में निधि की सदस्यता आरंभ होने की तारीख से अधिकतम 3 वर्ष की अवधि तक, देय अंशदान का कर्मचारी भविष्य निधि में भुगतान करेगी जो क्रमशः अक्षमता (समान अवसर, अधिकार की संरक्षा और पूर्ण भागीदारी) अधिनियम, 1995 (1996 का 1) तथा आत्म विमोह, प्रमस्तिष्कीय पक्षाघात, मानसिक कमजोरी तथा बहुअक्षमता से पीड़ित व्यक्तियों के राष्ट्रीय मानव कल्याण अधिनियम, 1999 (1999 का 44) के अंतर्गत अशक्तता से पीड़ित व्यक्ति है”।

- (2) पैरा-24 में निम्नलिखित परंतुक शामिल किया जाएगा, अर्थात् :—

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“बशर्ते कि, यदि ऐसा व्यक्ति अशक्तता से पीड़ित व्यक्ति है, तो उपर्युक्त फॉर्म में ऐसे ब्यौरे भी दिए जाएंगे जो ऐसे व्यक्ति के संबंध में आवश्यक हैं।”

[फा. सं. एस-35012/1/2008-एस.एस.-II]

एस. के. श्रीवास्तव, संयुक्त सचिव

टिप्पणी : कर्मचारी पेंशन योजना, 1995 दिनांक 16 नवम्बर, 1995 को सं. सा.का.नि. 748(अ) के माध्यम से भारत के राजपत्र, भाग-II, खंड 3, उप-खंड (i) में प्रकाशित किया गया था तथा योजना में सं. सा.का.नि. 431(अ) दिनांक 15 जून, 2007 के माध्यम से अंतिम बार संशोधन किया गया था।

MINISTRY OF LABOUR AND EMPLOYMENT NOTIFICATION

New Delhi, the 31st March, 2008

G.S.R. 252(E).—In exercise of the powers conferred by section 6A read with sub-section (1) of section 7 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Pension Scheme, 1995, namely :—

1. (1) This Scheme may be called the Employees' Pension (Amendment) Scheme, 2008.
- (2) It shall come into force on the 1st day of April, 2008.

2. (1) In the Employees' Pension Scheme, 1995, in paragraph 4, after sub-paragraph (2), the following proviso shall be inserted, namely :—

(1)

"Provided that the Central Government shall pay the contribution payable to the Employees' Pension Fund in respect of an employee who is a person with disability under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996) and under the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 (44 of 1999) respectively, up to a maximum period of three years from the date of commencement of membership of the Fund".

(2) In paragraph 24, the following proviso shall be inserted, namely:—

"Provided that if such person is a person with disability, the aforesaid Form shall further contain such particulars as are necessary for such person".

[F. No. S-35012/1/2008-SS-II]

S. K. SRIVASTAVA, Jt. Secy.

Note:—The Employees' Pension Scheme, 1995 was published in the Gazette of India, Part-II, Section 3, Sub-section (i), vide number G.S.R. 748(E) dated 16th November, 1995 and the Scheme was last amended vide number G.S.R. 431(E), dated the 15th June, 2007.

अधिसूचना

नई दिल्ली, 31 मार्च, 2008

सा.का.नि. 253(अ).—कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 7 की उप-धारा (1) के साथ पठित धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्द्वारा कर्मचारी भविष्य निधि योजना, 1952 में और आगे संशोधन हेतु निम्नांकित योजना बनाती है, अर्थात्:—

1. (1) इस योजना को कर्मचारी पेंशन निधि (संशोधन) योजना, 2008 के नाम से जाना जाए।

(2) यह योजना 1 अप्रैल, 2008 से प्रभावी होगी।

2. कर्मचारी भविष्य निधि योजना, 1952 में, पैरा 81 के पश्चात् निम्नलिखित पैराग्राफ शामिल किया जाएगा, अर्थात्:—

"82. कतिपय कर्मचारियों के संबंध में विशेष उपबंध:— इस योजना में, जो उन कर्मचारियों पर लागू होता है जो कर्मचारी अक्षमता (समान अवसर, अधिकार की संरक्षा और पूर्ण भागीदारी) अधिनियम, 1995 (1996 का 1) तथा आत्मविमोह, प्रमस्तिष्कीय पक्षाघात, मानसिक कमजोरी तथा बहु-अक्षमता से पीड़ित व्यक्तियों के राष्ट्रीय मानव कल्याण न्यास अधिनियम, 1999 (1999 का 44) के अंतर्गत अशक्तता से पीड़ित हैं, में क्रमशः निम्नलिखित संशोधन किए जाएंगे, अर्थात्:—

(1) खण्ड (घ) के पैरा 2 के स्थान पर निम्नलिखित खण्ड प्रतिस्थापित किया जाएगा अर्थात्:—

(घ) "छोड़े गए कर्मचारी" अर्थात्—

(i) कोई अशक्तता से पीड़ित व्यक्ति, जिसने इस निधि का सदस्य होते हुए अपनी पूरी जमा राशि का पैरा 69 के उप-पैरा (1) के खण्ड (क) अथवा (ग) के अंतर्गत आहरण कर लिया हो।

(ii) कोई अशक्तता से पीड़ित व्यक्ति, इस निधि का सदस्य बनने का अन्यथा पात्र होने के समय जिसका वेतन 25 हजार रुपये प्रतिमाह से अधिक हो।

(iii) एक प्रशिक्षु।"

(2) पैरा-30 में उप-पैराग्राफ (3) के पश्चात् निम्नलिखित परंतुक शामिल किया जाएगा, अर्थात्:—

"बशर्ते कि केन्द्र सरकार उस सदस्य के निधि की सदस्यता के प्रारम्भ होने की तारीख से अधिकतम तीन वर्षों की अवधि तक प्रधान नियोक्ता अथवा ठेकेदार के माध्यम से नियोजित अशक्तता से पीड़ित व्यक्ति के संबंध में नियोक्ताओं के हिस्से का अंशदान करेगी।"

(3) पैरा 34 में पहले परंतुक के पश्चात् निम्नलिखित परंतुक शामिल किया जाएगा अर्थात्:—

"बशर्ते यह भी कि ऐसे किसी कर्मचारी, जो अशक्तता से पीड़ित व्यक्ति है, के मामले में उपर्युक्त घोषणा प्रपत्र में ऐसे ब्यौरे शामिल होंगे जो ऐसे कर्मचारियों के लिए आवश्यक हैं।"

(4) पैरा 36 में उप-पैराग्राफ (1) के पश्चात् निम्नलिखित परंतुक शामिल किया जाएगा, अर्थात्:—

"(1क) प्रत्येक नियोक्ता 1 अप्रैल, 2008 से शुरू होने वाले प्रत्येक माह के 15 दिन के अन्दर आयुक्त द्वारा यथाविनिर्दिष्ट फॉर्म में उस अशक्तता से पीड़ित व्यक्ति के संबंध में यथावश्यक ब्यौरे आयुक्त को भेजेगा जो सदस्य है अथवा 1 अप्रैल, 2008 के बाद सदस्य बनने का पात्र है।"

(5) पैरा 38 में उप-पैराग्राफ (1) के द्वितीय परंतुक के पश्चात् निम्नलिखित परंतुक शामिल किया जाएगा, अर्थात्:—

"बशर्ते यह भी कि केन्द्र सरकार उस कर्मचारी के संबंध में निधि की सदस्यता के प्रारम्भ होने की तारीख से अधिकतम तीन वर्ष की अवधि तक नियोक्ता के हिस्से का अंशदान करेगी, जो व्यक्ति अशक्तता से पीड़ित है।"

[फा. सं. एस-35012/1/08-एसएस-II]

एस. के. श्रीवास्तव, संयुक्त सचिव

टिप्पणी: कर्मचारी भविष्य निधि योजना, 1952 का प्रकाशन दिनांक 2 सितम्बर, 1952 को संख्या सा.का.नि. 1506 के माध्यम से भारत के राजपत्र, भाग II, खण्ड 3, उप-खण्ड (i) में प्रकाशित किया गया था तथा योजना में संख्या सा.का.नि. 228(अ) दिनांक 22 मार्च, 2007 के माध्यम से अंतिम बार संशोधन किया गया था।

NOTIFICATION

New Delhi, the 31st March, 2008

G.S.R. 253(E).—In exercise of the powers conferred by section 5, read with sub-section (1) of section 7 of the Employees' Provident Funds and Miscellaneous Provisions

Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely:—

1. (1) This Scheme may be called the Employees' Provident Fund (Amendment) Scheme, 2008.

(2) It shall come into force on the 1st day of April, 2008.

(2) In the Employees' Provident Funds Scheme, 1952, after paragraph 81, the following paragraph shall be inserted, namely:—

"82. Special provisions in respect of certain employees:—The Scheme shall, in its application to an employee who is a person with disability under the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Act, 1995 (1 of 1996) and under the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 (44 of 1999) respectively, be subject to the following modifications, namely:—

(1) For clause (1) of paragraph 2, the following clause shall be substituted, namely:—

"(1) "excluded employee" means—

- (i) a person with disability, who having been a member of the Fund has withdrawn the full amount of his accumulations in the Fund under clause (a) or clause (c) of sub-paragraph (1) of paragraph 69;
- (ii) a person with disability, whose pay at the time he is otherwise entitled to become a member of the Fund, exceeds twenty-five thousand rupees per month.
- (iii) an apprentice." ✓ //

(2) In paragraph 30, after sub-paragraph (3), the following proviso shall be inserted, namely:—

"Provided that the Central Government shall contribute the employer's share of contribution up

to a maximum period of three years from the date of commencement of membership of the Fund, in respect of an employee who is a person with disability, employed directly by the principal employer or through a contractor."

(3) In paragraph 34, after the first proviso, the following proviso shall be inserted, namely:—

"Provided further that in the case of any such employee who is a person with disability, the aforesaid Declaration Form shall further contain such particulars as are necessary for such employees."

(4) In paragraph 36, after sub-paragraph (1), the following sub-paragraph shall be inserted, namely:—

"(1A) Every employer shall send to the Commissioner, within fifteen days of every month commencing from the 1st day of April, 2008, in such form as the Commissioner may specify, the particulars as are necessary, of an employee who is a person with disability and is a member on or entitled to become a member after the 1st day of April, 2008."

(5) In paragraph 38, in sub-paragraph (1), after the second proviso, the following proviso shall be inserted, namely:—

"Provided also that the Central Government shall pay the employer's share of contribution in respect of an employee who is a person with disability, up to a maximum period of three years from the date of commencement of membership of the Fund."

[F. No. S-35012/1/2008-SS.-II]

S. K. SRIVASTAVA, Jt. Secy.

Note : The Employees' Provident Fund Scheme, 1952 was published in the Gazette of India, Part-II, Section 3, Sub-section (i), dated the 2nd September, 1952 vide number S.R.O. 1506 and the Scheme was last amended vide number G.S.R. 228(E), dated the 22nd March, 2007.

STATEMENT

Statement in respect of disabled employees who are employed after 1.4.2008 and for whom special provisions are made under paragraph 82 of the Employees Provident Fund Scheme, 1952.

Sl. No.	Account No.	Name of the Employee	Father's Name (or Husband's Name in case of married women)	Date of Birth	Sex	Date of Joining.	Wages, Retaining Allowance (if any) and D.A. including cash value of food concession paid during the month.	Employers Contribution in Rs----- (10% of 12% as the case may be) to be adjusted from Govt. Subsidy.	Remarks: Details of Disability Certificate & Issuing Authority
1	2	3	4	5	6	7	8	9	10

Signature of the Employer or
authorized official
of the Factory/Establishment.

Stamp of the Factory/Establishment.

This statement should be accompanied by copies of the disability certificate, issued to the disabled employee by the Competent Authority under the persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and the Persons with Disabilities (Equal Opportunities, Protection of Right and Full participation) Rules, 1996.

**Annex. III**

**STANDARD FORMAT OF THE DISABILITY CERTIFICATES AS PRESCRIBED IN THE
GUIDELINES FOR EVALUATION OF VARIOUS DISABILITIES AND PROCEDURE FOR
CERTIFICATION – NOTIFIED VIDE GAZETTE NOTIFICATION NO. 16-18/97-N.I.I.**

DATED 1ST JUNE, 2001

NAME & ADDRESS OF THE INSTITUTE/HOSPITAL ISSUING THE CERTIFICATE

Certificate No. _____

Date _____

CERTIFICATE FOR THE PERSONS WITH DISABILITIES

This is to certify that Shri/Smt./Kum/wife/daughter of Shri _____ Age _____
_____ old male/female, Registration No. _____ is a case of
physically disabled/visual disabled/speech & hearing disabled and has _____ %
(_____) permanent (physical impairment/visual impairment/speech & hearing
impairment) in relation to his/her _____

Note: -

1. This condition is progressive/non-progressive/likely to improve/not likely to improve. *
2. Re-assessment is not recommended/is recommended after a period of _____
months/years.

*Strike out which is not applicable.

Sd/-
(DOCTOR)
Seal

Sd/-
(DOCTOR)
Seal

Sd/-
(DOCTOR)
Seal

Signature/Thumb impression
Of the patient

Countersigned by the
Medical Superintendent/CMO/Head of
Hospital (with seal)

Recent Attested Photograph
Showing the disability affixed here.

CERTIFICATE OF MENTAL RETARDATION FOR GOVERNMENT BENEFITS

This is to certify that /Smt./Kum. _____ Son/Daughter of
_____ of _____ Town/City

_____ with particulars given below:-

- a) Age
- b) Sex
- c) Signature/Thumb impression

CATEGORISATION OF MENTAL RETARDATION

Mild/Moderate/Severe/Profound

Validity of the Certificate: Permanent

Signature of the Government
Doctor/Hospital with seal
Chairperson Mental Retardation
Certification Board

Recent Attested Photograph
Showing the disability affixed here

Dated:

Place:

Definitions of Disabilities as per the Persons With Disabilities (Equal Opportunities, Protection Of Rights And Full Participation) Act, 1995

1. "Disability" means-
 - (i) blindness;
 - (ii) low vision;
 - (iii) leprosy-cured;
 - (iv) hearing impairment;
 - (v) loco motor disability;
 - (vi) mental retardation;
 - (vii) mental illness;
2. "Person with Disability" means a person suffering from not less than forty per cent of any disability as certified by a medical authority;
3. "Blindness" refers to a condition where a person suffers from any of the following conditions, namely :-
 - (i) total absence of sight; or
 - (ii) visual acuity not exceeding 6/60 or 20/200 (snellen) in the better eye with correcting lenses; or
 - (iii) limitation of the field of vision subtending an angle of 20 degree or worse;
4. "Person with Low Vision" means a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of a task with appropriate assistive device;
5. "Leprosy Cured Person" means any person who has been cured of leprosy but is suffering from-
 - (i) loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity;
 - (ii) manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;
 - (iii) extreme physical deformity as well as advanced age which prevents him from undertaking any gainful occupation,
 and the expression "leprosy cured" shall be construed accordingly;
6. "Hearing Impairment" means loss of sixty decibels or more in the better ear in the conversational range of frequencies;
7. "Loco motor Disability" means disability of the bones, joints or muscles leading to substantial restriction of the movement of the limbs or any form of cerebral palsy;
8. "Cerebral Palsy" means a group of non-progressive conditions of a person characterized by abnormal motor control posture resulting from brain insult or injuries occurring in the pre-natal, peri-natal or infant period of development;
9. "Mental Retardation" means a condition of arrested or incomplete development of mind of a person which is specially characterized by sub normality of intelligence;
10. "Mental Illness" means any mental disorder other than mental retardation;

Definitions of disabilities as per National Trust for the Welfare of Persons With Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999

1. "Persons with Disability" means a person suffering from any of the conditions relating to autism, Cerebral Palsy, Mental Retardation or a combination of any two or more of such conditions and includes a person suffering from severe multiple disability;

2. "Autism" means a condition of uneven skill development primarily affecting the communication and social abilities of a person, marked by repetitive and ritualistic behaviour;

3. "Cerebral Palsy" means a group of non-progressive conditions of a person characterized by abnormal motor control posture resulting from brain insult or injuries occurring in the pre-natal, perinatal or infant period of development;

4. "Mental Retardation" means a condition of arrested or incomplete development of mind of person, which is specially characterised by sub-normality of intelligence;

5. "Multiple Disabilities" means a combination of two or more disabilities as defined in clause (i) of section 2 of the Person with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995;

6. "Severe Disability" means disability with eighty per cent or more of one or more of Multiple Disabilities;
