

Executive Summary

Article 41 of the Constitution of India mandates the State to make effective provisions for securing the right to work, to education and to public assistance for people affected by disability. The Rights of Persons with Disabilities (RPwD) Act, 2016 was enacted to give effect to these benefits.

As per Census 2011, Rajasthan had 15.64 lakh persons with disabilities, which was 2.28 *per cent* of the total population (6.85 crore) of the State. Rajasthan had the sixth largest population of PwDs which constituted 5.83 *per cent* of total PwDs in the country.

This Performance Audit is an assessment of the implementation of Rights of Persons with Disabilities Act, 2016 in the state of Rajasthan. It examined whether Government of Rajasthan took adequate measures to ensure the rights and entitlements of Specially Abled Persons (SAPs), provide adequate social security, education and employment. The Performance Audit covered the period 2016-21.

Audit observed significant delay by the Government of Rajasthan in providing rights and entitlements to the physically challenged. Provisions for reservation in promotion, relaxation in upper age limit and concession in marks were notified in October 2021, four years after the enactment of the RPwD Act, 2016. *State Government may ensure that reservation in jobs and promotions are made for the SAPs as per the RPwD Act.*

Equal Opportunity Policy is yet to be approved by the Government. *State Government may take necessary steps for early adoption of Equal Opportunity Policy for the protection of rights of the SAPs.*

The Rajasthan State Policy on Disabilities, 2012 is yet to be revised in accordance with RPwD Act, 2016.

There was significant delay in issue of Disability Certificates to the disabled as 31 *per cent* of the 9.85 lakh applications were pending for more than one year. *State Government may undertake special campaigns to enhance the coverage of SAPs for issue of disability certificates and prescribe norms regarding time limits for various stages of processing of applications.*

When it came to social security, only 5.77 lakh specially abled persons (37 *per cent*) were getting disability pension as of March 2021.

Enrolment of children with special needs in schools reduced by almost 30 *per cent* from 2016-17 to 2020-21. *State Government may*

make all efforts to enhance the enrolment and retention of Children with Special Needs in the educational institutions in the State.

Mentally Retarded homes for persons having intellectual disabilities were not adequate in the state and the existing MR homes suffered from shortage of staff and the amenities. *State Government may establish adequate number of Government/NGO run MR Homes and ensure availability of adequate infrastructure and human resources as per prescribed norms.*

Financial assistance was provided to SAPs without obtaining required documents like Income Certificate, Marriage Card, Domicile, Disability Certificate and receipt of Aids & Devices under *Vishesh Yogyajan Sukhad Dampatya Jeevan Yojana* and *Sanyukt Sahayata Anudan Yojana*. Further, subsidy was released without ascertaining the actual disbursement of full loan and there was irregular disbursal of subsidy to ineligible people under *Mukhyamantri Vishesh Yogyajan Swarojgar Yojana*. *The State Government may ensure that there is no diversion of benefits meant for PwDs to ineligible persons. Responsibility may be fixed for diversion of benefits to ineligible persons.*

DSAP did not conduct social audit of all programmes and schemes for the PwDs from time to time. *State Government may undertake social audits periodically which would help them in monitoring the progress as well as improving the implementation of schemes and programmes run for the welfare of the SAPs.*

DSAP took excess time in granting new registration and renewal of certificates of NGOs. *State Government may make all efforts to facilitate NGOs through timely grant of registrations and their renewal and prepare proper database for effective monitoring of NGOs.*

State Commissioner did not have any mechanism to monitor the action taken on complaints received from aggrieved specially abled persons. State Advisory Board required to oversee the effective implementation of the Act had not yet been constituted. *State Government may set up the institutional mechanisms envisioned in the Act for effective implementation of the Act for the welfare of the SAPs.*

There was no dedicated staff of DSAP at the district or lower levels though a separate Directorate for SAPs was established in October 2011 for focused intervention for welfare of SAPs. *State Government may establish separate SAP offices with adequate manpower at district/block level for effective implementation of the provisions of the Act and schemes/programmes.*

District officers did not conduct quarterly/monthly inspections of NGOs and instead conducted inspections on a half yearly basis at the

time of making recommendation to DSAP for releasing grants. *State Government may ensure effective Internal Controls by ensuring robust institutional mechanisms as envisaged in the Act and availability of timely and accurate information.*

In the eight test checked districts, many Government buildings were not fully accessible for SAPs as the ramps, railings and accessible toilets had not been constructed.