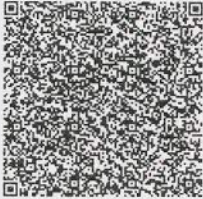




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Government of Gujarat
Certificate of Stamp Duty

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Certificate Issued Date : 06-Apr-2021 12:12 PM
Account Reference : IMPACC (SV)/ gj13251104/ GANDHINAGAR01/ GJ-GN
Unique Doc. Reference : SUBIN-GJGJ1325110415480500672494T
Purchased by : DIRECTOR SOCIAL DEFENCE
Description of Document : Article 5(h) Agreement (not otherwise provided for)
Description : FOR SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT
Consideration Price (Rs.) : 0
 (Zero)
First Party : SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT
Second Party : HEALTH AND FAMILY WELFARE DEPARTMENT
Stamp Duty Paid By : SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT
Stamp Duty Amount(Rs.) : 300
 (Three Hundred only)



Putli Zimess P
Deputy Secretary
Social Justice & Empowerment Deptt.
Govt. of Gujarat
Sachivalaya, Gandhinagar.



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MEMORENDUM OF UNDERSTANDING
BETWEEN
SOCIAL JUSTICE & EMPOWERMENT DEPARTMENT, GOVT. OF GUJARAT
&
HEALTH & FAMILY WELFARE DEPARTMENT, GOVT. OF GUJARAT

INTRODUCTION:

People with disabilities suffer from many deprivations in various dimensions of their life. Social attitudes and stigmas limit opportunities for disabled people and restrict their participation in social and economic life. The need-of-the-hour is to take the initiative to empathize and appreciate the finer issues and nuances connected with disability and mobilize support to promote dignity, equity, rights and well being of disabled persons.

Gujarat Government introduced various schemes for Physically Challenged (Divyangjan) to extend financial and economic support that will help them living a smooth life. But, it was felt that there is a need to take steps to facilitate them to become self-sufficient, self-reliant and independent so that they can live a dignified life. Various Government departments have either introduced special schemes for 'Divyangjan' or accorded priority reservation to them in their various schemes as envisaged in the RPwD Act 2016 to rebuild their confidence and create self-belief in them so that they become an effective contributor to family, society and the nation. But the challenge lies in effective implementation of the RPwD Act 2016 and the relevant rules as well as operationalization of policy framework. It is therefore required to establish a system to coordinate between the various Government Departments/ Institutions engaged in welfare of Divyangjan and the actual beneficiaries so that the programmes and schemes reach the targeted and intended beneficiaries adhering to the timelines and the time frames as planned.

PURPOSE OF THIS MoU:

In Gujarat, Departments including Social Justice & Empowerment, Health & Family Welfare, Education, Roads and Buildings, Labour and Employment, Women and Child etc. are presently playing and/or have to play crucial roles in extending services to Divyangjan for their wellbeing, which can lead to productive, safe and dignified lives.

For smooth execution of the defined roles, it is necessary to draw attention of various Departments towards the services they are offering / can offer and the mechanism required for that. The main purpose of signing MoUs with different Departments is to pursue and propose them the areas where they could contribute in providing Divyangjan smooth and better opportunities for their overall wellbeing including health, education, skill development, sports and earning livelihood in a dignified way etc. Accordingly, this MoU is signed between Social Justice & Empowerment Department (SJED) and Health & Family Welfare Departments (H&FWD) of the Government of Gujarat.

P. S. J. P.

[Signature]

The MoU is to be signed keeping in view the provisions defined in the **Rights of Persons with Disabilities Act, 2016**.

ABOUT THE DEPARTMENTS

THE SOCIAL JUSTICE & EMPOWERMENT DEPARTMENT

Whereas, Social Justice & Empowerment Department, hereinafter referred as SJED, is the coordinating and nodal Department handling issues related to Divyangjan. Under this Department, Directorate of Social Defence, Commissionerate of Persons with Disabilities and Gujarat Handicapped (Divyang) Finance and Development Corporation carry out functions related to the welfare of Divyangjan.

The Department primarily focuses on socio economic welfare measures for empowerment of backward section of the society. The Department implements several developmental and welfare schemes for education, economic upliftment, health, housing, etc. for the scheduled castes, nomadic and denotified tribes, socially and educationally backward class, divyangjans and minorities.

Empowerment of persons with disabilities is an inter-disciplinary process covering various aspects such as; prevention, early detection, intervention, education, health, vocational training, rehabilitation and social integration. SJED, GoG, with aims to facilitate empowerment and inclusion of the persons with disabilities, acts as a Nodal Agency to look after all development agenda of Persons with Disabilities (Divyangjan).

The SJED's mission is to empower Persons with Disabilities by creating an enabling environment that provides equal opportunities, protection of their rights and enables them to participate as independent and productive members of the society.

HEALTH & FAMILY WELFARE DEPARTMENT

Whereas, the Health & Family Welfare Department, hereinafter referred as HFWD, is through its wide network health and medical care facilities in the State to provide primary, secondary and tertiary health care at the door step of every citizen of Gujarat with prime focus on BPL & poor families, marginalized population and weaker sections in rural and urban areas including urban slums. Department also takes appropriate actions to create adequate educational facilities for medical and paramedical manpower in the State of Gujarat.

The Department's Vision is to increase life expectancy and improve physical quality of life of people of Gujarat so that they attain the highest level of physical, mental and spiritual health and contribute towards the development of the State.

KEY FOCUSED AREAS:

As per the Right for Persons with Disabilities Act- 2016 (Chapter 1, Section 2(x), besides other aspects, the 'public facilities and services' include; medical, health and rehabilitation are relevant here.

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Secondly, according to the Act, 'Appropriate Government' means 'in relation to a state government or any establishment, wholly or substantially financed by that Government, or any local authority, other than a Cantonment Board, the Government.'

Section 10 of RPwDA – 2016

- (1) The Appropriate Government shall ensure that persons with disabilities have access to appropriate information regarding reproductive and family planning.
- (2) No person with disability shall be subject to any medical procedure which leads to infertility without his or her free and informed consent.

As mentioned in **Chapter V** of the Act, following measures are required to be taken by the Appropriate Government, in this case, the Government of Gujarat (H&FWD), under the head, **Social Security, Health, Rehabilitation and Recreation**.

Following are the specific recommendations and measures required to take into consideration by the **Health & Family Welfare Department, GoG. Social Justice & Empowerment Department** will facilitate and ensure that such benefits are provided as per the specified norms and reach to the right target group.

1. The schemes under sub-section (1) shall provide for –

• **Section 24 & 25 of the RPwD Act-2016 mandates as follows which requires constant coordination between SJED and H&FWD:**

- 24 (1) The Appropriate Government shall within the limit of its economic capacity and development formulate necessary schemes and programmes to safeguard and promote the right of persons with disabilities for adequate standard of living to enable them to live independently or in the community:

Provided that the quantum of assistance to the persons with disabilities under such schemes and programmes shall be at least twenty-five per cent higher than the similar schemes applicable to others.

- (2) The Appropriate Government while devising these schemes and programmes shall give due consideration to the diversity of disability, gender, age, and socio-economic status.
- (3) The schemes under sub-section (1) shall provide for –
 - (a) Community centres with good living conditions in terms of safety, sanitation, health-care and counselling;
 - (b) Facilities for persons including children with disabilities who have no family or have been abandoned, or are without shelter or livelihood;
 - (c) Support during natural or man-made disasters and in areas of conflict;
 - (d) Support to women with disability for livelihood and for upbringing of their children;
 - (e) Access to safe drinking water and appropriate and accessible sanitation facilities especially in urban slums and rural areas;

P. K. Singh

[Signature]

- (f) Provisions of aids and appliances, medicine and diagnostic services and corrective surgery free of cost to persons with disabilities with such income ceiling as may be notified;
- (g) Disability pension to persons with disabilities subject to such income ceiling as may be notified;
- (h) Unemployment allowance to persons with disabilities registered with Special Employment Exchange for more than two years and who could not be placed in any gainful occupation;
- (i) Care-giver allowance to persons with disabilities with high support needs;
- (j) Comprehensive insurance scheme for persons with disability, not covered under the Employees State Insurance Schemes, or any other statutory or Government-sponsored insurance schemes;
- (k) Any other matter which the Appropriate Government may think fit.

• **Section 25 mandates:**

- (1) The appropriate Government and the local authorities shall take necessary measures for the persons with disabilities to provide –
 - (a) Free healthcare in the vicinity specially in rural area subject to such family income as may be notified
 - (b) Barrier-free access in all parts of Government and private hospitals and other healthcare institutions and centres
 - (c) Priority in attendance and treatment
- (2) The Appropriate Government and the local authorities shall take measures and make schemes or programmes to promote healthcare and prevent the occurrence of disabilities and for the said purpose shall –
 - (a) Undertake or cause to be undertaken surveys, investigations and research concerning the cause of occurrence of disabilities;
 - (b) Promote various methods for preventing disabilities;
 - (c) Screen all the children at least once in a year for the purpose of identifying 'at-risk' cases;
 - (d) Provide facilities for training to the staff at the primary health centres;
 - (e) Sponsor or cause to be sponsored awareness campaigns and disseminate or cause to be disseminated information for general hygiene, health and sanitation;
 - (f) Take measures for pre-natal, perinatal and post-natal care of mother and child;
 - (g) Educate the public through the pre-schools, schools, primary health centres, village level workers and *anganwadi* workers;
 - (h) Create awareness amongst the masses through television, radio and other mass media on the causes of disabilities and the preventive measures to be adopted;
 - (i) Healthcare during the time of natural disasters and other situations of risk;

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- (j) Essential medical facilities for life saving emergency treatment and procedures; and
- (k) Sexual and reproductive healthcare especially for women with disability.

• **Measures:**

- SJED and Health & Family Welfare Department officials with defined norms, communicate to the concerned authorities/District Collectors and ensure good living conditions, especially to the PwDs, in the community centres, such as; old age homes, orphan homes, residential schools, vocational training centres, children centres, public places and organisations for disabled persons.
- This also includes; free medical facilities and treatment, including surgery, issuance of MAA Cards/PMJAY Cards, facility for smooth movement in all their buildings and spaces. H&FWD will issue necessary resolutions and formalise the mechanism.
- H&FWD will ensure providing special facilities, to PwDs, by creating separate health infrastructure or strengthening existing ones.
- SJ&ED will ensure giving allowance to the care-givers providing services to the persons having disabilities with high support needs as approved by the government.
- Bus-Pass scheme is popular and enabling scheme for Divyangjan providing free mode of transport and mobility anywhere in the State through ST Department. SJED shall strive to further strengthen it for Divyangjans. Adequate budgetary provision for the same shall be ensured for the same.
- Aids and Appliances (*Sadhan Sahay Yojana*) Scheme is major scheme providing for the appliances (*ManavGarima* Toolkits) to increase the earning potential of Divyangjan and also appliances to the needy Divyangjan found so after organising Camps for the same (through H&FWD or NGOs). This scheme's budgetary provisions shall be endeavoured to be increased substantially during the period of MoU.
- The H&FWD will also take the following measures and formulate schemes or programmes to promote healthcare and prevent the occurrence of the disabilities
 - ✓ Conduct surveys, investigations and research concerning the cause of occurrence of disabilities and share findings with the Doctors/Parents to create awareness
 - ✓ Create awareness amongst the masses through television, radio and other mass media on the causes of disabilities and the preventive measures to be adopted

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- ✓ Provide facilities for training to the staff at the primary health centres
- ✓ Organise awareness campaigns for general hygiene, health and sanitation and educate the public through primary health centres, village level workers and anganwadi workers
- ✓ Provide special attention towards PwDs during the time of natural disasters and other situations of risk
- ✓ Ensure functioning of Medical Boards established by the Department
- ✓ Create essential medical facilities for life saving emergency treatment and procedures and
- ✓ Establish sexual and reproductive healthcare especially for women with disabilities.

• **Recommendation:**

Issuance of Disability Identify Card or Unique Disability ID (UDID) Card

Issuance of Unique ID to Persons with Disabilities (PwDs) project is being implemented with a view of creating a National Database for PwDs and to issue a UDID card to each person with disabilities with an objective to extend benefits of various schemes and benefits provided by the Government.

The UDID card shall bring a host of benefits to PwDs, such as;

- PwDs will not need to make multiple copies of documents, maintain and carry multiple documents as the card will capture all the necessary details which can be decoded with the help of a reader
- The UDID card will be the single document of identification, verification of the disabled for availing various benefits in future
- It will also help in stream-lining the tracking of physical and financial progress of beneficiary at all levels of hierarchy of implantation – from village level, block level, district level, state level and national level.

• **Measures:**

➤ **Role and Responsibilities of SJED**

- ✓ Department will display complete data of PwDs on either creating a separate portal or under separate head on its and related organisations' websites. This will facilitate H&FWD access to the information.
- ✓ Department will be responsible for conducting, encouraging, supporting and promoting awareness campaigns and sensitisation programmes, using various media, among PwDs in the State, as UDID card is mandatory for them for maintaining complete data of PwDs in the country. It will also encourage and pursue PwDs for online registration.

P. Srinivas



Secondly, such efforts will ensure that the rights of the PwDs provided under the referred Act are protected.

- ✓ Department will post registration details such as; who can apply, procedure and eligibility, deficiency criteria, documents required, etc. on its and the related organisations' websites
- ✓ Upload registration form on its and the related organisations' websites. Check all the forms and if found in order, forward the same to the H&FWD, concerned District Medical Officer/CMO Office/Medical Authority.
- ✓ Provide information to PwDs about the DMOs/CMOs located in different vicinity
- ✓ Department will hire an agency which can extend pick-up and drop services to the needy PwDswilling to go personally for assessment of disability to the respective District Medical Officer/CMO. In this case, the Department will allow PwD to approach and register with any DMO or CMO, in any district, in the state.
- ✓ Necessary follow-up with the H&FWD and maintain records

➤ **Role and Responsibilities of H&FWD**

- ✓ As mentioned in Chapter X of the Right of Persons with Disabilities Act – 2016, the Department shall designate persons having requisite qualification and experience, as certifying authorities, who shall be competent to issue the certificate of disability.

- ✓ The Department may follow the following procedure for issuing the UDID Card.

Once a Person with Disability approaches the relevant Medical Board, s/he will use the application form to record the details of PwD. After necessary verification, the PwD will be referred to designated Specialist/Medical Board for disability assessment and once the assessment is over, the assessment details will be submitted and Disability Certificate/UDID Card will be issued electronically.

- ✓ The Department will keep the updated information on either the UDID portal or on its own website or on the SJED's website or on the related organisations' websites. The information such as; when the application is received, details of issuance of the Disability Certificate, time and date for an appointment with the designated Specialist/Medical Board for the assessment and the copy of the UDID Card issued to the beneficiary.
- ✓ The Department may consider automating Disability Certificate/UDID Card issue process to significantly reduce the time and timely delivery of the Disability Certificate/UDID Card is assured.

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- ✓ Concerned Medical Board or Medical Officer shall use the information displayed on the websites of the SJED and its related organisations, to facilitate PwDs in getting Disability Certificate/UDID Card.

Execution of MoU:

- Both the Departments will nominate and assign responsibilities to the officials to follow the guidelines and measures proposed in this MoU
- The Departmental Heads together or under the guidance of Chief Secretary will take periodic review of the steps/measures undertaken by the officials/local responsible authorities in extending specific services to PwDs
- Both the Departments will draw up an action plan, allotment of budget, review the progress and suggest directives to the concerned officials and authorities for necessary improvement
- Departments will decide the modalities and time limits for execution of the action plan contained in this MoU and also based on the recommendations of the State Advisory Board, if any in this regard
- This MoU will be operative with effect from 10-05-2021 for FY 2021-22 and any alteration/modifications can be carried out with the consent of both the Departments.

Officials, from both the Departments, herein, have appended their respective signatures on the day and the year stated above.

Signed for and on behalf of
Social Justice & Empowerment Deptt.
Govt. Of Gujarat

Patel Zinsh P.
(Dr. P. Patel)
Deputy Secretary
Social Justice & Empowerment Deptt.
Govt. Of Gujarat

Witness (1)

patel DC
(D. C. Patel)
US (SJED)



Signed for and on behalf of
Health & Family Welfare Deptt.
Govt. Of Gujarat

(Dr. M. OURAISHI)
Additional/Joint/Deputy Secretary
Health & Family Welfare Deptt.
Govt. Of Gujarat

Witness (2)

Dr. Ajay Chatur
SPD-MH.