

**GOVERNMENT OF ASSAM
HEALTH & FAMILY WELFARE (A) DEPARTMENT
DISPUR : GUWAHATI 781 006**

No. HLA.100/2012/200

Dated, Dispur the 8th April, 2013

OFFICE MEMORANUM

Subject : Issuance of Disability Certificate to disabled persons.

Introduction

“The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995” has come into enforcement on February 7, 1996.. The Act provides for both preventive and promotional aspects of rehabilitation of disabled persons. To avail benefit of the Act one should have appropriate Disability Certificate.

Disability means

- “Disability” means physical and mental disability of a person to perform the basic essential activities of daily living such as welfare Social relations and economic role as required in accordance with age sex and more active Social Role.
- Disability may be short term, long term or permanent Medically disability is physical impairment and inability to perform physical function normally, Legally, disability is a permanent in jury to the body for which the person should not be compensated.
- Temporary total disability is that period in which the affected person is totally unfit to work.
- Temporary partial disability is that period when recovery has reached the stage of improvement so that the person concerned may begin some kind of gainful occupation.
- Permanent disability means permanent damage or loss of use of some part/ parts of the body the stage of maximum improvement from any medical treatment and the condition is stationary.

Category

Physical disability of a person may be categorized broadly categorized as follows:

- a) Visually disable : Visually disable means a person suffering from either total absence of sight, visual acuity not exceeding 6/60 or 20/200 in the better eye with correcting lances, limitation of the field of vision sub-standing and angle of 20 degree of work.
- b) Locomotor disable, orthopaedically disable.
- c) Speech and hearing disable.
- d) Mentally disable.

Eligibility Criteria

A person having disability of 40% and above in a particular category as defined in instructions of the Act shall be eligible and may be considered for issuance of Disability Identity Card/Certificate.

- i) The person should be a bonafide citizen of India as defined under relevant laws applicable.

- ii) Temporary total disability person may prefer Orthopaedics, Ophthalmology auditory or speech or any other medical treatment, on the recommendation of the Medical Board.

Procedure

The application forms shall be available with the Superintendent/In-Charge of Medical Colleges & Hospitals and Civil Hospitals/CHCs/PHCs/SHCs/SDs.

Intending persons shall apply in prescribed format (Annexure-A) duly filled correctly together with the documents as mentioned below. If the applicant is illiterate, the Superintendent / In-Charge of Medical Colleges & Hospitals and Civil Hospitals/CHCs/PHCs/SHCs/SDs will assist him to fill up the application form and put the thumb impression of the applicant.

In case of persons with Mental Retardation, autism, cerebral palsy and multiple disabilities applicant or his/her legal guardian will sign the application form.

After receipt of the application duly filled the Superintendent/In-Charge of Medical Colleges & Hospitals and Civil Hospitals/CHCs/PHCs/SHCs/SDs will forward the application to the concerned Department of the Medical College or to the Joint Director of the District. The Head of the Department of the concerned Department of the Medical College will issue the disability certificate. In case of District, Jt. Director of Health Services of the District will refer the applicant to the specialist Doctor. On receipt of the report specialist Doctor the Jt. Director will issue necessary certificate.

In case of multiple disabilities, the application will be forwarded to the District Medical Board for examination and issue of certificate.

Authority

In case of singular disability, Government specialist doctors as notified by the Government or Head of the Department of Orthopaedics, Ophthalmology, ENT, Neurology and Psychiatry of Medical College as the case may be shall be the authority to certify and issue certificate as to physical disability of the applicant.

In case of multiple disabilities, the Medical Board shall be the authority to certify and issue certificate as to physical disability of the applicant. "Medical Board" means a Medical Board duly constituted by the Govt. for the purpose, it may be at least at sub-division levels, District or State level as decided /notified by Govt. from time to time.

Renewal

The applicant shall apply in prescribed form at least 30 (thirty) days ahead of stipulated date of expiry and shall surrender the identity certificate on the date of expiry or as directed by Medical Board.

Appellate Authority

In case of any controversy, dispute and double interpretation of the definition/prescribed degree of evaluation test etc. aggrieved person may appeal to the respective Medical Board through Jt. Director of Health Services in the District/ Principal in respect of Medical College.

Reviewing Authority

Director of Health Services / Director of Medical Education

Documents to be enclosed

Intending persons shall apply in prescribed format (Annexure-A) duly filled correctly, together with

- i) 3 (three) copies of attested recent photographs
- ii) Proof of residence as mentioned in the application form.
- iii) Birth / age certificate of schools.
- iv) Educational documents.
- v) Occupation certificate.
- vi) Certificate as mentioned in 12(ii)(b) of the application form, if applicable.
- vii) Certificate as mentioned in 13 of the application form, if applicable.

Stipulated time limit for providing Disability Certificate

If a person applies for Disability Identity Certificate in the prescribed format, which is found to be complete/correct in all respects, the authority concerned shall issue the certificate within 15(fifteen) working days from the date of examination by specialist notified doctor, Head of the Department of the concerned Department of Medical College or District Medical Board meeting as the case may be.

User charge : Nil

Enclosed : i) Annexure – A.
ii) Citizen Charter

(C. Barua, ACS)
Joint Secretary to the Govt. of Assam
Health & Family Welfare Department