

No.21013/1/2004-Estt.(Allowances)
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS
(DEPARTMENT OF PERSONNEL & TRAINING)

New Delhi, the 23rd March, 2006

OFFICE MEMORANDUM

Subject:- Grant of Children Education Allowance, Re-imbursement of Tuition Fee & Hostel Subsidy to Central Government Employees-Issue of revised consolidated orders.

The undersigned is directed to say that the orders relating to grant of concessions under the scheme of Children Education Allowance, Re-imbursement of Tuition Fee & Hostel Subsidy to Central Government Employees are contained in Central Civil Services (Educational Assistance) Orders, 1988 issued vide this Department's O.M. No.21011/21/88-Estt.(Allowances) dated 17.10.1988. Subsequently clarifications/ modifications were issued vide OMs No.12011/4/88-Estt.(Allowances) dated 31.05.1989, No.12011/2/83-Estt. (Allow) dated 27.12.89, No.21011/2/86-Estt.(Allow) dated 3.8.1990, No.12013/1/90-Estt.(Allow) dated 8.5.1992 and No.21017/1/97-Estt.(Allow) dated 12.6.1998. The Department of Administrative Reforms & P.G. conducted a Study in regard to the problems being faced by various Ministries/Departments in regulation of the claims of Children Educational Assistance of the Physically Handicapped/Mentally Retarded children and had made certain recommendations. After careful examination, these recommendations were accepted by the Government.

2. The need for consolidating/updating the orders mentioned in para 1 above and incorporating the accepted recommendations of the Department of Administrative Reforms & Public Grievances has been felt. Accordingly, the President is pleased to decide that in supersession of all the existing orders on the subject, grant of above concessions will be governed by the Central Civil Educational Assistance Orders 2006 attached as Annexure-I.

3. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders are being issued after consultation with the Comptroller and Auditor General of India.

4. Hindi version will follow.

(S. MEENAKSHISUNDARAM)
DEPUTY SECRETARY TO THE GOVT. OF INDIA

To

All Ministries/Departments of Govt. of India

No.21013/1/2004-Estt.(Allowances), New Delhi, 23rd March, 2006

Copy also forwarded to:-

1. Office of the Comptroller & Auditor General of India/Controller General of Accounts, Ministry of Finance.
2. Secretaries to Union Public Service Commission/Supreme Court of India/Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet Sectt./Central Vigilance Commission/President's Sectt./Vice-President's Sectt./Prime Minister's Office/Planning Commission/Central Information Commission.
3. All State Governments and Union Territories.
4. Governors of all States/Lt. Governors of Union Territories.
5. Secretary, National Council (Staff Side), 13-C, Feroz Shah Road, New Delhi.
6. All Members of the Staff Side of the National Council of JCM/Departmental Council.
7. All Officers/Sections of the Department of Personnel & Training/Department of Administrative Reforms & Public Grievances/Department of Pension & Pensioners Welfare.
8. Ministry of Finance, Deptt. of Expenditure (E-II(B) Branch).
9. Official Language Wing (Legislative Deptt.), Bhagwan Das Road, New Delhi.
10. Railway Board, New Delhi.
11. 200 spare copies.

(S. MEENAKSHISUNDARAM)
DEPUTY SECRETARY TO THE GOVT. OF INDIA

ANNEXURE -I

CENTRAL CIVIL SERVICES (EDUCATIONAL ASSISTANCE)
ORDERS, 2006.

1. Short title and commencement

(i) These orders may be called the Central Civil Services (Educational Assistance) Orders, 2006.

(ii) They shall come into force w.e.f. the first day of the month of issue of the orders.

2. Application

(i) These orders shall apply to Govt. servants including State Govt. servants on deputation to the Central Govt. and industrial employees directly working under Govt. whose pay is debitable to civil estimates including civilians paid from Defence estimates but shall not apply to-

(a) Railway servants,

(b) Persons in casual or daily rated or ad-hoc part-time employment,

(c) Persons paid from contingencies,

(d) Persons employed on contract except where the contract provided otherwise, and

(e) Persons posted in Indian Embassies/Missions abroad and receiving educational assistance under the Indian Foreign service (Pay, Leave, Compensatory Allowances and other conditions of service) Rules, 1961 as amended from time to time.

(ii) These orders shall also apply to Govt. servants on deputation to State Governments or on foreign service, provided necessary provision in regard to the drawl of educational assistance under these orders from such State Govt. or foreign employers is expressly made in the terms of deputation or foreign service.

3. Definitions

In these orders, unless the context otherwise require:-

(a) 'Child' means a child of a Govt. servant and includes a step-child and an adopted child, who is wholly dependent on the Govt. servant,

(b) 'Government' means the Central Govt.

© 'Head of Office' means a gazetted officer declared as such under rule 4 of the Delegation of Financial Power Rules, 1978 and includes such other authority or person whom the competent authority may, by order, specify as Head of office;

(d) 'Higher Secondary or Senior Secondary Classes' mean classes XI and XII and include classes upto the equivalent of XII class under the 10+2+3 scheme like Pre-university class or the first year class of an Intermediate College, a technical College, or a polytechnic provided the child has passed the Secondary or equivalent but not the Higher Secondary Examination before joining such class.

(e) "Physically/mentally handicapped means a person having a minimum Disability of 40% and as elaborated in Ministry of Welfare's Notification No.16-18/97-NI.I dated 1.6.2001 (Annexure-II).

(f) 'Primary classes' mean classes I to V but does not include kindergarten or nursery classes'.

(g) 'Recognized School' means a Government school or any educational institution whether in receipt of Govt. aid or not, recognized by the Central or State Govt. or Union Territory Administration or by a University or a recognized educational authority having jurisdiction over the area where the institution is situated. For the purpose of these orders education upto the senior level shall be treated as school education;

(h) 'Secondary classes' mean classes VI to X.

(i) Tuition Fee means tuition fee payable and actually paid, includes-

(i) Science fee,

(ii) Laboratory fee, in case science fee is not separately charged

(iii) Special fee charged for agriculture as an elective additional subject and,

(iv) Any fee charged for subjects like music which are taught as part of the regular school curriculum or subject requiring practical work under the programme of work experience.

(v) A fee paid for the use of any aid or appliance child. Provided that if tuition fee charged from a Science student is higher than that charged from a non-science student, science fee, though separately charged, shall not be included in tuition fee for the purposes of these orders.

Explanation

'Tuition fee' does not, however, include-

(i) Domestic science fund charges,

(ii) Library fee,

(iii) Games fee,

(iv) Admission fee, and

(v) Extra-curricular activity fee.

GENERAL CONDITIONS

4. Eligibility: - Subject to the provisions contained in paras 11 to 24 of these orders all Govt. servants without any pay limit shall be eligible to draw children's educational allowance, reimbursement of tuition fee and Hostel subsidy.

Provided that the assistance will be admissible only if the children of the Government servant study in a recognized school.

5. (i) In case both wife and husband are Govt. servants and are governed by the provisions of these orders the children's educational allowance or reimbursement of tuition fee or hostel subsidy as the case may be shall be admissible to one of them only.

(ii) In case the wife or husband of a Govt. servant is employed outside the Central Government the Govt. servant shall be eligible to draw the allowance or reimbursement of Hostel subsidy under these orders, only if his/her spouse is not entitled to the benefit of any such allowance or reimbursement of subsidy from his/her employer and a declaration of that effect shall be obtained from the Govt. servant.

6. (i) The children's educational allowance or the reimbursement of tuition fees or hostel subsidy shall be admissible to a Govt. servant while he/she is on duty or is under suspension or is on leave (including extra ordinary leave).

Provided that during any period which is treated as 'dies non' the Govt. servant shall not be eligible for the Allowance/reimbursement/subsidy for the period.

(ii) If a Govt. servant ceases to be in service by reason of retirement, resignation, discharge, dismissal or removal from service in the course of an academic year, the allowance or reimbursement of tuition fee or hostel subsidy shall be admissible till the end of the academic year in which the event takes place*.

(iii) If a Govt. servant dies while in service, the Children Educational Assistance or reimbursement of tuition fees or hostel subsidy shall be admissible in respect of his/her children subject to observance of other conditions for its grant provided the wife/husband of the deceased is not employed in service of the Central Govt. State Government,

*Inserted vide DOPT's O.M. No.12013/1/90-Estt.(Allowance) dated 8.5.1992.

Autonomous Body, PSU, Semi-Government Organisation such as Municipality, Port trust Authority or any other Organisation partly or fully funded by the Central Govt./State Govts *.

(iv) The provisions under Sub Rule (iii) of Rule 6 shall not be applicable in cases covered by the provisions of Ministry of Personnel, Public Grievances and Pensions (Deptt. of P&PW) OM No.33/5/89-P&PW(K) dt. 9.4.90 relating to liberalize pensionary awards *.

Note:- If a Govt. servant ceases to be in service by reason of retirement resignation, discharge or death in the course of an academic year the payment shall be made by the office in which the Govt. servant worked prior to these events and will be regulated under the procedure laid down in Para 25-28 of these consolidated orders.

7. (i) Children's educational allowance, reimbursement of tuition fee or hostel subsidy shall be admissible only in respect of children between the age limits of 5 to 20 years. A Govt. servant shall not be eligible to draw children's educational allowance, reimbursement of tuition fee or hostel subsidy for a child for more than two academic years in the same class.

(ii) Physically/mentally handicapped children will be eligible for the benefits between the age limits 5 to 22 years and for more than two academic years in the same class subject to the upper age limit of 22 years.

Explanation

Children Educational Allowance, Reimbursement of tuition fee and Hostel subsidy shall be admissible in respect of the child upto the end of the academic session even if he completes 20**/22 years, as the case may be, during that currency of the academic session.

*Inserted vide DOP&T OM No.12013/1/90-Estt.(Allowances) dated 8.5.1992

**Inserted vide DOP&T OM No.12011/2/83-Estt.(Allowances) dated 27.12.1989

8. Assistance as per these orders/instructions shall be admissible to the Government servant in respect of not more than 3 children at any time born upto 31.12.87 and shall be restricted to two children at any time born thereafter. However, if the number of children exceeds two as a result of second child birth resulting in twins or multiple births, assistance shall be admissible to all the children.

9. The children's educational allowance, reimbursement of tuition fee or hostel subsidy, as the case may be, shall be admissible to a Govt. servant in respect of a child only if the child attends the school regularly.

Provided that no such allowance, reimbursement or subsidy be admissible in any case where the period of absence from the school without proper leave exceeds one month notwithstanding that the name of the child remains on the rolls of the school.

10. The children's educational allowance, reimbursement of tuition fee, or hostel subsidy, as the case may be, shall be admissible to a Govt. servant in respect of his children regardless of the fact that any scholarship is received provided that if any fee concession is awarded, reimbursement of tuition fee/hostel subsidy shall be admissible only to the extent of fees actually paid.

Children's Educational Allowance

11. (i) A Government servant is eligible to draw children's educational allowance when he is compelled to send his child to a school away from the station at which he is posted and/or residing owing to the absence of a school of the requisite standard at that station.

(ii) For the purpose of this order, the following schools shall not be deemed to be schools of the requisite standard;

(a) In so far as an Anglo Indian child is concerned, a school not run by the Anglo Indian community or a school not affiliated to the Council for Indian School Certificate Examination of the Indian Council of Secondary Education.

(b) A school run by a body of certain religious persuasion which the child is prevented by the tenets of his religious persuasion from attending due to religious instructions being compulsorily imparted in such a school; and

(c) A School where teaching is conducted in a language different from the language of the child.

Explanation I The language of the child will be the medium of instructions in the school where the child was getting education earlier and in the case of a child admitted in a school for the first time the mother tongue of the child by birth or by adoption.

Explanation II The admissibility of children's education allowance will have to be determined with reference to the standard of the school, viz, Primary, Secondary or Higher Secondary or Senior Secondary and the medium of instruction and the language of the child and not to the absence of any particular subject in a particular institution.

Explanation III Notwithstanding clause 11(i) of these orders Children Educational Allowance shall be admissible to a Government servant who on transfer from one station to another, is compelled to keep his child/children studying in the final year of the Secondary/Higher Secondary/Senior Secondary classes at the old station for Board Examination in the interest of continuity of studies*.

(d) In so far as physically/mentally retarded child is concerned, if a recognized or approved or aided school or institution equipped to impart education or instruction to a physically/mentally handicapped child is not available at a particular place, the parent of that child will be eligible to get the children's educational allowance.

*Inserted vide DOP&T OM No.12011/4/88-Estt.(Allowances) dated 31.5.1989

12. The allowance shall be admissible to a Govt. servant at a station where there is no school of the requisite standard only if the nearest school of such standard is so situated that there is no convenient train or bus service to take the child from his residence near the time of the opening of the school and bring him back not too long after the school is closed for the day and the journey by such train/bus service takes more than an hour.

13. If a Government servant is transferred from a station where there is no school of the requisite standard to a station where there is such a school and if he was in receipt of the allowance at the former station in respect of any child, he shall continue to remain eligible for such allowance as long as the child continues to study in the same school*.

14. If a child of a Government servant is denied admission to a school of the 'requisite standard' at the station at which the Government servant is posted and/or residing because of there being no vacancy, or for any other reasons, and the child is, compelled to attend a school away from the Govt. servant's place of posting and/or residence, the Govt. servant shall be entitled to the allowance as if there were no school of the requisite standard at that station.

Explanation- The availability of a vacancy in a school shall be determined with reference to the position existing at the time of the admission of the child in the school, whether it be at the start or in the middle of the session, in consultation with competent educational authorities of the area and not on the basis of the certificate of the school authorities.

15. A Government servant in receipt of the allowance shall continue to be eligible to draw such allowance during any period, not exceeding four months.

(i) When he may go and stay with the child in respect of whom the allowance is drawn while on leave or during suspension or temporary transfer;

*Inserted vide DOPT's O.M. No.21017/1/97-Estt.(Allowances) dated 12.6.1998.

(ii) When the child may come to live with the Govt. servant provided it is certified by a registered medical practitioner that the child is forced to remain away from studies due to illness; and

(iii) When the child may come to live with the Govt. servant during vacation, provided the child continues to be on the rolls of the school.

16. The allowance shall be admissible to a Govt. servant at the following rates:-

Primary, Secondary Higher and Senior Secondary classes (I to XII)	Rs.100/- per month per child*
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17. (i) The Allowance shall be admissible to a Govt. servant throughout the year notwithstanding that no tuition fee is paid during the vacation.

(ii) In the case of a child who is successful at the final secondary/higher secondary/senior secondary examination, the allowance shall be admissible to the Govt. servant upto the end of the month in which the examination is completed or upto the end of the month upto which the school fees are charged, whichever is later.

(iii) In the case of a child who fails in the final secondary/higher secondary/senior secondary examination, but resumes his studies, the allowance shall be admissible to the Govt. servant for the period of vacation intervening provided that fees are paid for the period of vacation.

Reimbursement of Tuition Fee

18. A Govt. servant shall be eligible to the reimbursement of tuition fee payable and actually paid in respect of his child provided that no children educational allowance under these orders is admissible to him.

*Inserted vide DOPT's O.M. No.21017/1/97-Estt.(Allowances) dated 12.6.1998.

19. (i) The tuition fee payable and actually paid by a Govt. servant in respect of his child may be reimbursed, subject to the following limits*.

(a)	Class I to X	Rs. 40/- p.m. per child
(b)	Class XI to XII	Rs.50/- p.m. per child
(c)	Classes I to XII in respect of Physically handicapped and Mentally retarded children	Rs.100/-p.m. per child

Note*:- 'Science fee' if charged separately upto the limit of Rs. 10/- p.m. will be reimbursable in addition to the tuition fee in respect of children studying in classes IX to XII & offering science subjects.

20. Reimbursement of tuition fee charged by a college run by a University affiliated to a University for pre-university/first year class of an Intermediate College or of a Technical College or first year class of polytechnic for a correspondence course shall however, be reimbursed subject to the rates prescribed in para 19 of these orders.

"In cases where minimum qualifications for admission in the two years Diploma course in Polytechnics in 10th Class of the revised pattern of education and the student joins the polytechnic after passing X class of the revised pattern of education, the reimbursement of tuition fees shall also be allowed for the 1st and 2nd year classes of the above course."

21. Tuition fee payable and paid in respect of a physically handicapped or mentally retarded child of a Govt. servant shall be reimbursed even if the institution in which the child is studying is not recognized by the Central/State Govt. or Union Territory Administration subject to the limits mentioned in para 19©*.

*Inserted vide DOPT's O.M. No.21017/1/97-Estt.(Allowances) dated 12.6.1998.

(i) The tuition fee payable and paid by the parent of a mentally retarded child be reimbursed even if the child is undergoing non-formal education or vocational training or other similar instructions.

(ii) As long as a physically/mentally handicapped child studies in any institution i.e. aided or approved by the Central/State Govt. or UT Administration or whose fees are approved by any of these authorities, the tuition fee paid by the Govt. servant shall be reimbursed irrespective of the fact whether the institution is 'recognized' or not.

HOSTEL SUBSIDY

22. A Government servant shall be eligible to the grant of subsidy at the rate of Rs.300/- p.m. per child*if because of his transfer he is obliged to keep his children in the hostel of a residential school away from the station at which he is posted and/or is residing.

However, if the date of admission to the Hostel is earlier than the date of transfer, and if such admission is made in anticipation of the transfer, the hostel subsidy may be made from the effective date of transfer.

23. The hostel subsidy shall be payable upto 10 plus 2 stage in states and Union Territories, where the pattern of 10 plus 2 plus 3 has been adopted and upto Higher Secondary and Senior Secondary stage in other States and UT irrespective of the fact that the children study in a Kendriya Vidyalaya or any other recognized school.

24. The Hostel subsidy shall not be admissible in respect of a child for whom children's educational allowance is drawn by a Govt. servant.

*Inserted vide DOPT's O.M. No.21017/1/97-Estt.(Allowances) dated 12.6.1998.

PROCEDURE FOR PAYMENT OF CHILDREN'S EDUCATIONAL ALLOWANCE, REIMBURSEMENT OF TUITION FEES AND HOSTEL SUBSIDY

25. A Govt. servant claiming children's educational allowance, reimbursement of tuition fees or hostel subsidy shall furnish a certificate in the prescribed form 1,2 &3 as the case may be to the Head of office at the time of preferring his initial claim and thereafter in the months of March and July every year. Where the Government servant is himself the Head of the Office, he shall furnish the certificate to the next higher authority.

26. The Head of Office in regard to officers working in his office and the next higher authority in regard to the Head of Office shall, after making such enquiry as may be considered necessary, issue a certificate indicating the amount of allowance admissible to the Govt. servant on the basis of which the allowance shall be drawn by the drawing and disbursing officer.

Provided that in the case of children's educational allowance it shall be permissible for the allowance being drawn on provisional basis, pending verification as above, for short periods not exceeding three months subject to an undertaking being obtained from the Govt. servant that it, as a result of verification, it is established that a school of the requisite standard does exist at a station of posting/residence or near such station as referred to in para 12, he shall refund the allowance paid to him.

Provided further that the Head of Office or the next higher authority, as the case may be, may at his discretion, make enquiry at periodic intervals regarding admissibility of assistance under these orders.

27. The drawing and disbursing officer shall certify on the pay bill that the certificates mentioned in order 26 in respect of the Govt. servants covered by the pay bill have been obtained.

28. A Government servant transferred from one station to another shall furnish a fresh certificate at the new station in case he continues to be eligible to draw children's educational allowance or hostel subsidy.

FORM – I
Para-25

CHILDREN EDUCATIONAL ALLOWANCE

1. Certified that my child/children mentioned below in respect of whom children's educational allowance is claimed is/are wholly dependent upon me and I am compelled to send my child/children away from the place of my posting/residence due to non-availability of the school of the requisite standard at the station of my posting/residence or due to non-availability of a vacancy in such a school at the station of my posting/residence.

Name of the child	Date of birth	School/ College in which studying location thereof and residence of the child	The place where the Govt. servant is residing	Class in which the child is studying	Monthly educational allowance admissible	Amount of allowance claimed for the periods from July, 200... to Feb. 200... March 200.... to June, 200...
1	2	3	4	5	6	7
1.						
2.						
3.						

2. Certified that my child/children in respect of whom children's educational allowance is claimed is/are studying in the schools mentioned in Column (I) which is/are recognized schools (s)
(Not applicable to schools run by Central Govt./State Govt./Union Territory Administration, Municipal Corporation/Municipal Committee/Panchayat Samiti/Zilla Parishad).

3. Certified that;

i) my wife/husband is/is not a Central Government servant

ii) my wife/husband is a Central Govt. servant and that she/he will not claim children's educational allowance in respect of our child/children.

iii) My wife/husband is employed with _____she/he is/is not entitled to children's educational allowance in respect of our child/children.

4. Certified that during the period covered by the claim the child/children attended the school regularly and did not absent himself/herself/themselves from the school without proper leave for a period exceeding one month.

5. Certified that the child/children has/have been not studying in the same class for more than two academic years.

6. In the event of any change in the particulars given above which affect my eligibility for children's educational allowance. I undertake to intimate the same promptly and also to refund excess payments, if any made.

(Signature of the Govt. servant)

Name in block letters _____

Designation & Office _____

Date _____

Place of Posting _____

(Strike out whatever is not applicable)

FORM-2
Para-25

REIMBURSEMENT OF TUITION FEE

1. Certified that my child/children mentioned below in respect of whom reimbursement of tuition fee is claimed is/are wholly dependent upon me:

Name of the Child	Date of birth	School in which studying	Class in which studying	Monthly Tution fee actually payable	Tution fee actually paid from July, 200 to Feb, 200 March,200 to June, 200	Account of reimburse ment claimed
1	2	3	4	5	6	7
1.						
2.						
3.						

2. Certified that the tuition fees indicated against the child/each of the children had actually been paid by me (cash receipt/counter-foil of the Bank credit vouchers to be attached with the initially claim)

3. Certified that;

i) my wife/husband is/is not a Central Government servant

ii) my wife/husband is a Central Govt. servant and that she/he will not claim reimbursement of tuition fee in respect of our child/children.

iii) my wife/husband is employed with _____she/he is/is not entitled to reimbursement of tuition fee in respect of our child/children.

4. Certified that during the period covered by the claim the child/children attended the school(s) regularly and did not absent himself/herself/themselves from the school(s) without proper leave for a period exceeding one month.
5. Certified that the child/children has/have been not studying in the same class for more than two years.
6. Certified that I or my wife/husband have/has not claimed and will not claim the children's educational allowance in respect of the children mentioned above.
7. Certified that my child/children in respect of whom reimbursement of tuition fee is claimed is/are studying in the schools which is/are recognized schools (s) (Not applicable to schools run by Central Govt./State Govt./Union Territory Administration/ Municipal Corporation/ Municipal Committee/PanchayatSamiti/ZillaParishad).
8. In the event of any change in the particulars given above which affect my eligibility for reimbursement of Tuition Fees. I undertake to intimate the same promptly and also to refund excess payments, if any made.

(Signature of the Govt. servant)

Name in block letters _____

Designation & Office _____

Date _____

Place of Posting _____

(Strike out whatever is not applicable)

FORM-3
Para-25

HOSTEL SUBSIDY

Certified that my child Shri/Kumari
.....studying in
was admitted to hostel of the School on200.....
(Certificate from the Head of the School attached)

Certified that

(a) my wife/husband is/is not in Govt. service is/is not drawing
Hostel Subsidy in respect of my child/children.

(b) the total number of children in respect of whom the hostel
subsidy and children's educational allowance has been claimed
does not exceed the number as provided in the orders.

3. I undertake to inform my employer forthwith in the event of my
withdrawing the child from the Hostel and also about any change
in the particulars mentioned earlier.

(Signature of the Govt. servant)

Dated.....

Name in block letters _____
Designation & Office _____

FORM-4
Para-25

HOSTEL SUBSIDY

.....School
(Name of the School and Place)

Name of boarder.....

Name of Parent

Class to which admitted.....

Date of admission in the hostel

Period during the year for which the
Child would continue to stay in the
hostel

From To

(a)

(b)

©

(d)

Dated.....Principal/Head Master/Head Mistress

(Stamp of the School)

Annexure-II

EXTRACTS OF THE NOTIFICATION

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT

NOTIFICATION

New Delhi, the 1st June 2001

Subject:- Guidelines for evaluation of various disabilities and procedure for certification.

No. 16-18/97-NI.I In order to review the guidelines for evaluation of various disabilities and procedure for certification as given in the Ministry of Welfare's O.M.No.4-2/83-HW.III, dated the 6th August, 1986 and to recommend appropriate modifications/alterations keeping in view the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, Government of India in Ministry of Social Justice and Empowerment, vide Order No. 16-18/97-NI.I, dated 28.8.98, set up four committees under the Chairmanship of Director General of Health Services-one each in the area of mental retardation, Locomotor/Orthopaedic disability, Visual disability and Speech & Hearing disability. Subsequently, another Committee was also constituted on 21.7.1999 for evaluation, assessment of multiple disabilities and categorization and extent of disability and procedure for certification.

2. After having considered the reports of these committees the undersigned is directed to convey the approval of the President to notify the guidelines for evaluation of following disabilities and procedure for certification:-

Visual impairment
Locomotor / Orthopaedic disability
Speech & hearing disability
Mental retardation

Copy of the Report is enclosed herewith as **Annexure ***.

3. The minimum degree of disability should be 40% in order to be eligible for any concessions/benefits.
4. According to the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996 notified by the Central Government in exercise of the powers conferred by sub-section (1) and (2) of section 73 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996), authorities to give disability Certificate will be a Medical Board duly constituted by the Central and the State Government. The State government may constitute a Medical Board consisting of at least three members out of which at least one shall be a specialist in the particular field for assessing locomotor/Visual including low vision/hearing and speech disability, mental retardation and leprosy cured, as the case may be.
5. Specified test as indicated in **Annexure** * should be conducted by the medical board and recorded before a certificate is given.
6. The certificate would be valid for a period of five years for those whose disability is temporary and are below the age 18 years. For those who acquire permanent disability, the validity can be shown as 'Permanent'.
7. The State Govts./UT Admn. may constitute the medical boards indicated in para 4 above immediately, if not done so far.
8. The Director General of Health Services, Ministry of Health and Family Welfare will be the final authority, should there arise any controversy/doubt regarding the interpretation of the definitions/classifications/evaluations tests etc.

(GAURI CHATTERJI)
Joint Secretary to the Government of India

NOTE

*The Annexure mentioned above may please be seen from the Ministry of Social Justice and Empowerment notification.