

The Persons with Disabilities Act, 1995

Chapter 2 - In this Act, unless the context otherwise requires,

(a) "Appropriate Government" means,-(i) In relation to the Central Government or any establishment wholly or substantially financed by that Government, or a Cantonment Board constituted under the Cantonment Act, 1924, the Central Government ;(ii) 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 State Government;(iii) In respect of the Central Co-ordination Committee and the Central Executive Committee, the Central Government;(iv) In respect of the State Co-ordination Committee and the State Executive Committee, the State Government;(b) "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 6160 or 201200 (snellen) in the better eye with correcting lenses; or(iii) Limitation of the field of vision subtending an angle of 20 degree or worse;(c) "Central Co-ordination Committee" means the Central Co-ordination Committee constituted under sub-section (1) of section 3;(d) "Central Executive Committee" means the Central Executive Committee constituted under subsection (1) of section 9;(e) "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;(f) "Chief Commissioner" means the Chief Commissioner appointed under subsection (1) of section 57;(g) "Commissioner" means the Commissioner appointed under sub-section (1) of section 60;(h) "Competent authority" means the authority appointed under section 50;(i) "Disability" means (I) Blindness;(ii) Low vision;(iii) Leprosy-cured;(iv) Hearing impairment;(v) Loco motor disability;(vi) Mental retardation;(vii) Mental illness;(j) "Employer" means,-(i) In relation to a Government, the authority notified by the Head of the Department in this behalf or where no such authority is notified, the Head of the Department; and(ii) In relation to an establishment, the chief executive officer of that the establishment;(k) "Establishment" means a corporation established by or under a Central, Provincial or State Act, or an authority or a body owned or controlled or aided by the Government or a local authority or a Government company as defined in section 617 of 'the Companies Act, 1956 and includes Departments of a Government;(l) "Hearing impairment" means loss of sixty decibels or more in the better year in the conversational range of' frequencies;(m) "Institution for persons with disabilities" means an institution for the reception. Care, protection, education, training, rehabilitation or any other service of persons with disabilities;(n) "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;(o) "Loco motor disability" means disability of the bones, joints muscles leading to substantial restriction of the movement of the limbs or any form of cerebral palsy;(p) "Medical authority" means any hospital or institution specified for the purposes of this Act by notification by the appropriate Government;(q) "Mental illness" means any mental disorder other than mental retardation;(r) "Mental retardation" means a condition of arrested or incomplete development of mind of a person which is specially characterized by sub normality of intelligence;(s) "Notification" means a notification published in the, Official Gazette;(t) "Person with disability" means a person suffering from not less than forty per cent. of any disability as certified by a medical authority;(u) "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;(v) "Prescribed" means prescribed by rules made under this Act;(w) "Rehabilitation" refers to a process aimed at enabling persons with disabilities to reach and maintain their optimal physical, sensory, intellectual, psychiatric or social functional levels;(x) "Special Employment Exchange" means any office or place established and maintained by the Government

for the collection and furnishing of information, either by keeping of registers or otherwise, respecting-(i) Persons who seek to engage employees from amongst the persons suffering from disabilities;(ii) Persons with disability who seek employment;(iii) Vacancies to which person with disability seeking employment may be appointed;(y) "State Co-ordination Committee" means the State Co-ordination Committee constituted under subsection(1) of section 19;(z) "State Executive Committee" means the State Executive Committee constituted under sub-section(l) of section 19

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