

Overview of Rights of Person's with Disabilities Act 2016

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The Lok Sabha today passed "The Rights of Persons with Disabilities Bill - 2016". The Bill will replace the existing PwD Act, 1995, which was enacted 21 years back. The Rajya Sabha has already passed the Bill on 14.12.2016. 16-December-2016 18:28 IST


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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, th 28th December, 2016/Pausha 17, 1938 (Saka)

The following Act of Parliament received the assent of the President of the 27
December, 2016, and is hereby published for general information:-

THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016
(No. 49 OF 2016)



ଭିନ୍ନସମ ବ୍ୟକ୍ତିମାନଙ୍କ ଅଧିକାର
ଅଧିନିୟମ, ୨୦୧୬

ଭାରତ ସରକାରଙ୍କ ଦ୍ୱାରା ପ୍ରଣୀତ

ସୌଜନ୍ୟ :



ରାଜ୍ୟ ଭିନ୍ନସମ ଆୟୁକ୍ତଙ୍କ କାର୍ଯ୍ୟାଳୟ, ଓଡ଼ିଶା

ଏସ୍.ଆଇ.ଡି.ଆର୍. ବିଲଡିଙ୍ଗ୍, କ୍ୟାପିଟାଲ ହସ୍ପିଟାଲ କ୍ୟାମ୍ପସ୍

ୟୁନିଟ୍-୨, ଭୁବନେଶ୍ୱର - ୭୫୧୦୦୧

ଫୋନ୍ - ୦୬୭୪-୨୩୯୦୦୦୨, ଦୈନିକ ହେଲ୍ପଲାଇନ୍ : ୧୮୦୦୩୪୫୬୭୩୭

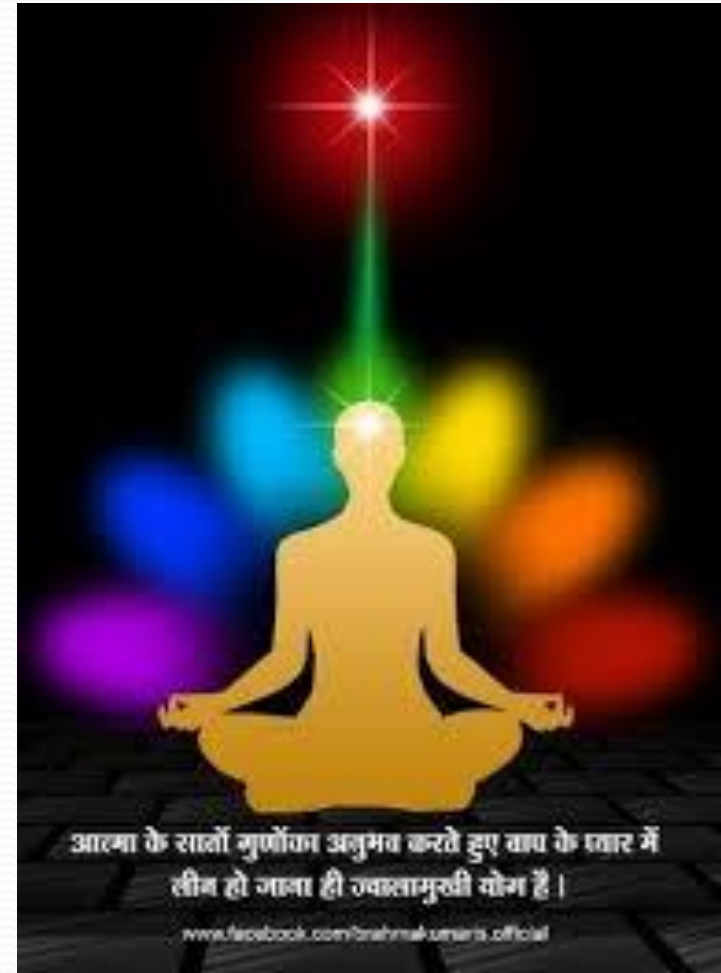
E-mail : scpdorissa@gmail.com, Website : scpdodisha.nic.in



UNITED NATIONS

**United Nations General Assembly
adopted its Convention on the Rights
of Persons with Disabilities on the
13th day of December, 2006**

**ONLY
DISABILITY IN
LIFE IS A
BAD
ATTITUDE**



आत्मा के सारों गुणोंका अनुभव करते हुए वाप के प्कार में
सीज हो जाला ही ज्वालामुखी योग है ।

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BARRIER FREE ENVIRONMENT

● ACCESSIBLE INDIA



PWD ACT 1995

- (I) **Blindness;**
- (ii) **Low vision;**
- (iii) **Leprosy-cured;**
- (iv) **Hearing impairment;**
- (v) **Loco motor disability;**
- (vi) **Mental retardation;**
- (vii) **Mental illness;**



35 PAGE DOCUMENT
17 CHAPTERS

NEW TERMINOLOGY

● **DIVYANG-
DISABILITY**

● **DIVYANGJAN
- PERSONS
WITH
DISABILITY**



Principles for

Empowerment of persons with disabilities

- (a) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons
- (b) Non-discrimination
- (c) Full and effective participation and inclusion in society
- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
- (e) Equality of opportunity
- (f) Accessibility
- (g) Equality between men and women
- (h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities



CHALLENGES

● **Accessibility**

● **Inclusion**

● **Empowerment**



ICIDH CLASSIFICATION

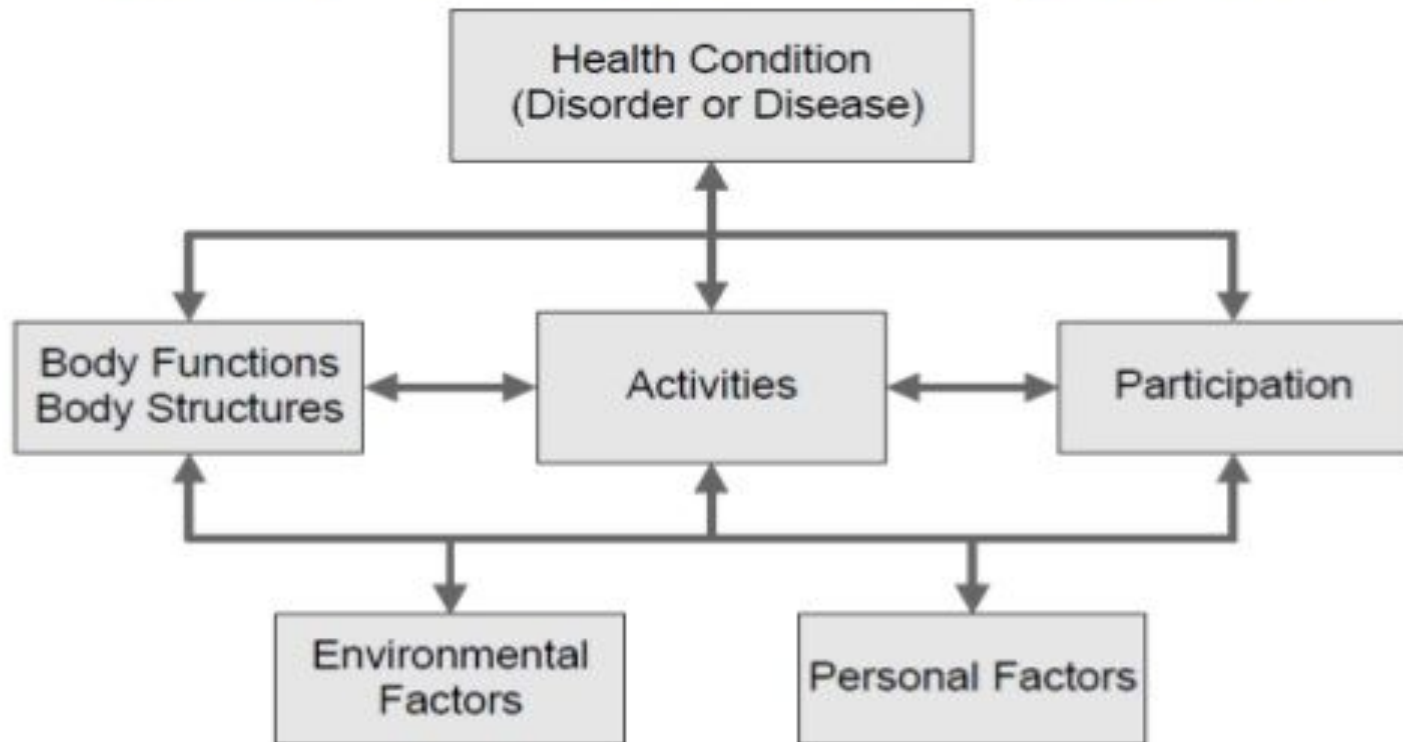
● **IMPAIRMENT**

● **DISABILITY**

● **HANDICAPPED**

WHO MAY 2001

Interaction of ICF Components




Adapted from the World Health Organization *International Classification of Functioning, Disability and Health (ICF) model*, WHO 2001.



RPDA 2016

Disability has been defined based on an evolving and dynamic concept in this bill



The types of disabilities have been increased from existing 7 to 21 and the Central Government will have the power to add more types of disabilities.

ACCESSIBILITY

For strengthening the Prime Minister's Accessible India Campaign, stress has been given to ensure accessibility in public buildings (both Government and private) in a prescribed time-frame

BARRIER FREE ENVIRONMENT

● ACCESSIBLE INDIA



PDA(Personal Digital Assistant)



Signaling Devices

Devices to notify households of events including the telephone or doorbell ringing, baby crying, audio alarms, and more via flashing lamp, a bed shaker and vibrating personal signaler.



alarm clock

Footime Foot

Jouse

3M Ergonomic



Trackball Emotion



AirObic



Evolution
Mouse-Trak

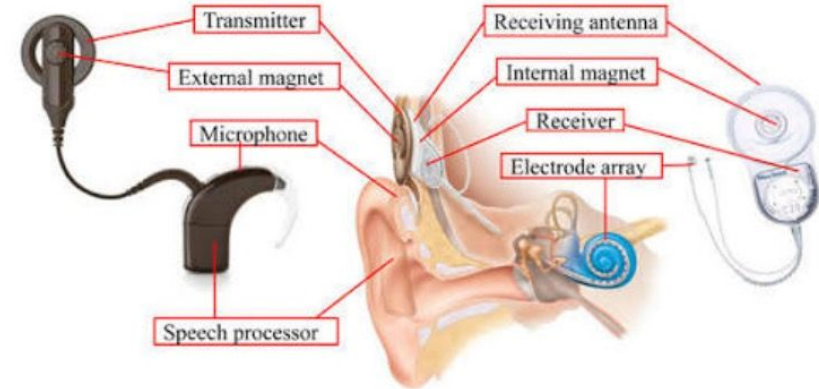
Switch Access



- Switch selection
- Switch site
- software



COCHLEAR IMPLANT



21 Categories

- **Blindness**
- **Low-vision**
- **Leprosy Cured persons**
- **Hearing Impairment (deaf and hard of hearing)**
- **Locomotor Disability**
- **Dwarfism**
- **Intellectual Disability**
- **Mental Illness**
- **Autism Spectrum Disorder**
- **Cerebral Palsy**

- 
- **Muscular Dystrophy**
 - **Chronic Neurological conditions**
 - **Specific Learning Disabilities**
 - **Multiple Sclerosis**
 - **Speech and Language disability**
 - **Thalassemia**
 - **Hemophilia**
 - **Sickle Cell disease**
 - **Multiple Disabilities including deaf blindness**
 - **Acid Attack victim**
 - **Parkinson's disease**

FIRST TIME ADDED

- **Speech and Language Disability**
- **Specific Learning Disability**
- **Acid Attack Victims**
- **Dwarfism,**
- **Muscular dystrophy**
 - *The New categories of disabilities also included three blood disorders,*
- **Thalassemia, Hemophilia and Sickle Cell disease.**

Rights

Reservation in higher education, government jobs, reservation in allocation of land, poverty alleviation schemes etc. have been provided for persons with benchmark disabilities and those with high support needs

Rights

Every child with benchmark disability between the age group of 6 and 18 years shall have the right to free education.

BENCHMARK DISABILITY

Person with benchmark disability” means a person with not less than forty per cent. of a specified disability .

HIGH SUPPORT

“Person with disability having high support needs” means a person with benchmark disability certified under clause (a) of sub-section (2) of section 58 who needs high support

SPECIAL PROVISIONS FOR PERSONS WITH BENCHMARK DISABILITIES

- 1. Every child with benchmark disability between the age of six to eighteen years shall have the right to free education in a neighbourhood school, or in a special school, of his choice.**
- 2. Government and local authorities shall ensure that every child with benchmark disability has access to free education in an appropriate environment till he attains the age of eighteen years.**

SPECIAL PROVISIONS FOR PERSONS WITH BENCHMARK DISABILITIES

- 3. All Government institutions of higher education and other higher education institutions receiving aid from the Government shall reserve not less than five per cent Seats for persons with benchmark disabilities.**
- 4. The persons with benchmark disabilities shall be given an upper age relaxation of five years for admission in institutions of higher education.**

JOB RESERVATION

Reservation in vacancies in government establishments has been increased from 3% to 4% for certain persons or class of persons with benchmark disability

JOB RESERVATIONS

- (a) Blindness and low vision-1%
- (b) Deaf and hard of hearing-1%
- (c) Locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy-1%
- (d) Autism, intellectual disability, specific learning disability and mental illness
- (e) Multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities

d and e -1%



ACCESSIBILITY

**TRANSPORT
INFORMATION AND
COMMUNICATION**

CHIEF COMMISSIONER OF DISABILITY

Office of Chief Commissioner of Persons with Disabilities has been strengthened who will now be assisted by 2 Commissioners and an Advisory Committee comprising of not more than 11 members drawn from experts in various disabilities.

STATE COMMISSIONER OF DISABILITY

Office of State Commissioners of Disabilities has been strengthened who will be assisted by an Advisory Committee comprising of not more than 5 members drawn from experts in various disabilities.

Punishment for availing benefits for PWD fraudulently

Whoever, fraudulently avails or attempts to avail any benefit meant for persons with benchmark disabilities, shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to one lakh rupees or with both.

SVNIR TAR

THANKS

प्रनवार्क सेवक भवन
REHABILITATION SERVICES BUILDING

