



Rights of Persons with Disabilities (RPWD) Act-2016

The Parliament passed the "Rights of Persons with Disabilities (RPWD) Bill-2016" on 16th December, 2016. In the Bill, the Disability has been defined based on an evolving and dynamic concept and 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. Speech and Language Disability and Specific Learning Disability have been added for the first time. Acid Attack Victims have been included.

The salient features of the Rights of Persons with Disabilities Bill, 2016 Passed by Parliament are:

1. Disability has been defined based on an evolving and dynamic concept.
2. 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. The 21 disabilities are given below:-

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| 1. Blindness | 12. Chronic Neurological conditions |
| 2. Low-vision | 13. Specific Learning Disabilities |
| 3. Leprosy Cured persons | 14. Multiple Sclerosis |
| 4. Hearing Impairment (deaf and hard of hearing) | 15. Speech and Language disability |
| 5. Locomotor Disability | 16. Thalassemia |
| 6. Dwarfism | 17. Hemophilia |
| 7. Intellectual Disability | 18. Sickle Cell disease |
| 8. Mental Illness | 19. Multiple Disabilities including deafblindness |
| 9. Autism Spectrum Disorder | 20. Acid Attack victim |
| 10. Cerebral Palsy | 21. Parkinson's disease |
| 11. Muscular Dystrophy | |

3. Speech and Language Disability and Specific Learning Disability have been added for the first time. Acid Attack Victims have been included. Dwarfism, muscular dystrophy have has been indicated as separate class of specified disability. The New categories of disabilities also included three blood disorders, Thalassemia, Hemophilia and Sickle Cell disease.

4. In addition, the Government has been authorized to notify any other category of specified disability.
5. Responsibility has been cast upon the appropriate governments to take effective measures to ensure that the persons with disabilities enjoy their rights equally with others.
6. Additional benefits such as 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.
7. Every child with benchmark disability between the age group of 6-18 years shall have the right to free education.
8. Government funded educational institutions as well as the government recognized institutions will have to provide inclusive education to the children with disabilities.
9. 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.
10. Reservation in vacancies in government establishments has been increased from 3% to 4% for certain persons or class of persons with benchmark disability.
11. The Bill provides for grant of guardianship by District Court under which there will be joint decision - making between the guardian and the persons with disabilities.
12. Broad based Central & State Advisory Boards on Disability are to be set up to serve as apex policy making bodies at the Central and State level.
13. 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.
14. Similarly, the 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.
15. The Chief Commissioner for Persons with Disabilities and the State Commissioners will act as regulatory bodies and Grievance Redressal agencies and also monitor implementation of the Act.
16. District level committees will be constituted by the State Governments to address local concerns of PwDs. Details of their constitution and the functions of such committees would be prescribed by the State Governments in the rules.
17. Creation of National and State Fund will be created to provide financial support to the persons with disabilities. The existing National Fund for Persons with Disabilities and the Trust Fund for Empowerment of Persons with Disabilities will be subsumed with the National Fund.
18. The Bill provides for penalties for offences committed against persons with disabilities and also violation of the provisions of the new law.
19. Special Courts will be designated in each district to handle cases concerning violation of rights of PwDs.