

LAWS RELATED TO PERSON WITH DISABILITY

**Solanki Vishwaraj
17111a**

- **A DISABILITY IS AN IMPAIRMENT THAT MAY BE COGNITIVE, DEVELOPMENTAL, INTELLECTUAL, MENTAL, PHYSICAL, SENSORY, OR SOME COMBINATION OF THESE. IT SUBSTANTIALLY AFFECTS A PERSON'S LIFE ACTIVITIES AND MAY BE PRESENT FROM BIRTH OR OCCUR DURING A PERSON'S LIFETIME. ... DISABILITY IS THUS NOT JUST A HEALTH PROBLEM**

PERSON WITH DISABILITY ACT , 1995

- TO INTEGRATE PERSON WITH DISABILITIES AND PROVIDE THEM WITH OPPORTUNITIES FOR FULL PARTICIPATION IN SOCIETY
- TO CREATE A SOCIETY IN WHICH DISABLED PERSONS WOULD ENJOY STATUS WITH NON-DISABLED PERSON

BENEFICIARIES

- BLINDNESS
- LOW-VISION
- LEPROSY-CURED HEARING IMPAIRMENT
- LOCO MOTOR DISABILITY, OR ANY FORM OF CEREBRAL PALSY
- MENTAL RETARDATION MENTAL ILLNESS

HOW DOES THE ACT SET OUT TO ACHIEVE IT'S GOALS

- THROUGH.....
- EDUCATION EMPLOYMENT
-
- SPECIAL FACILITIES
- REHAB AND SOCIAL SECURITY

EMPLOYMENT OF DISABLED PERSONS

- 3% RESERVATION IN IDENTIFIED GOVERNMENT JOBS.

1% EACH FOR:

- PERSONS WITH BLINDNESS OR LOW VISION
- (II) PERSONS WITH HEARING IMPAIRMENT AND
- (III) PERSONS WITH LOCO MOTOR DISABILITY OR CEREBRAL PALSY

DUTIES ON THE GOVT. PART TO PROVIDE AND PROMOTE EDUCATION AMONG DISABLED PERSONS

- ENSURE FREE EDUCATION TILL THE AGE OF 16 YEARS
- PROMOTE INTEGRATION
- SETTING UP SPECIAL SCHOOLS
- TRANSPORT FACILITIES
- REMOVAL OF ARCHITECTURAL BARRIERS
- SUPPLY OF BOOKS, UNIFORMS ETC.
- GRANT OF SCHOLARSHIPS
- SUITABLE MODIFICATION IN THE EXAMINATION SYSTEMS
- RESTRUCTURING OF CURRICULUM

THE NATIONAL TRUST FOR WELFARE OF PERSONS WITH AUTISM, CEREBRAL PALSY MENTAL RETARDATION AND MULTIPLE DISABILITIES ACT, 1999

TRUST" : THE NATIONAL TRUST FOR WELFARE OF PERSONS WITH AUTISM,
CEREBRAL PALSY MENTAL RETARDATION AND MULTIPLE DISABILITY
CONSTITUTED UNDER SUB SECTION (1) OF SECTION 3.

OBJECTIVES

- ENABLE AND EMPOWER TO LIVE INDEPENDENTLY WITHIN AND AS CLOSE TO THE COMMUNITY TO WHICH THEY BELONG;
- STRENGTHEN FACILITIES AND PROVIDE SUPPORT TO LIVE WITHIN THEIR OWN FAMILIES;
- EXTEND SUPPORT TO REGISTERED ORGANIZATION TO PROVIDE NEED BASED SERVICES DURING THE PERIOD OF CRISES IN THE FAMILY
- DEAL PROBLEMS OF PERSONS WITH DISABILITY WHO DO NOT HAVE FAMILY SUPPORT;
- PROMOTE MEASURES FOR THE CARE AND PROTECTION IN THE EVENT OF DEATH OF THEIR PARENT OR GUARDIAN
- EVOLVE PROCEDURE FOR THE APPOINTMENT OF GUARDIANS AND TRUSTEES REQUIRING SUCH PROTECTION;
- FACILITATE THE REALIZATION OF EQUAL OPPORTUNITIES, PROTECTION OF RIGHT AND FULL PARTICIPATION OF PERSONS WITH DISABILITY
- AND TO DO ANY OTHER ACT

- THAT PROMOTES INDEPENDENT LIVING IN THE COMMUNITY FOR PERSONS WITH DISABILITY BY:-
- CREATING A CONDUCTIVE ENVIRONMENT IN THE COMMUNITY;
- COUNSELING AND TRAINING OF FAMILY MEMBERS OF PERSONS WITH DISABILITY;
- SETTING UP OF ADULT TRAINING UNITS, INDIVIDUAL AND GROUP HOMES PROMOTES RESPITE CARE, FOSTER FAMILY CARE OR DAY CARE SERVICE FOR PERSONS WITH DISABILITY;
- SETTING UP RESIDENTIAL HOSTELS AND RESIDENTIAL HOMES FOR PERSONS WITH DISABILITY;
- DEVELOPMENT OF SELF-HELP GROUP PERSONS WITH DISABILITY TO PURSUE THE REALIZATION OF THEIR RIGHTS;
- SETTING UP OF LOCAL COMMITTEE TO GRANT APPROVAL FOR GUARDIANSHIP AND
- SUCH OTHER PROGRAMMES WHICH PROMOTE THE OBJECTIVE OF THE TRUST

GUARDIA N

- A PARENT OF A PERSON WITH DISABILITY OR HIS RELATIVE MAY MAKE AS APPLICATION TO THE LOCAL LEVEL COMMITTEE FOR APPOINTMENT OF ANY PERSON OF HIS CHOICE TO ACT AS A GUARDIAN OF THE PERSONS WITH DISABILITY.
- ◦ ANY REGISTERED ORGANIZATION MAY MAKE AN APPLICATION IN THE PRESCRIBED FORM TO THE LOCAL LEVEL COMMITTEE FOR APPOINTMENT OF A GUARDIAN FOR A PERSON WITH DISABILITY:
- NO SUCH APPLICATION SHALL BE ENTERTAINED BY THE LOCAL LEVEL COMMITTEE, UNLESS THE CONSENT OF THE GUARDIAN OF THE DISABLED PERSON IS ALSO OBTAINED.

REMOVAL

- A PARENT OR A RELATIVE OF A PERSON WITH DISABILITY OR A REGISTERED ORGANIZATION FIND THAT THE GUARDIAN IS
- ABUSING OR NEGLECTING A PERSON WITH DISABILITY;
OR
- MISAPPROPRIATING OR NEGLECTING THE PROPERTY, IT MAY IN ACCORDANCE WITH THE PRESCRIBED PROCEDURE APPLY TO THE COMMITTEE FOR THE REMOVAL OF SUCH GUARDIAN

RPWD ACT

- THE ACT PROCLAIMED IN 1995 ,RENEWED IN 2011,CHANGED ITS NAME FROM PERSON WITH DISABILITIES ACT TO **RIGHTS OF PERSON WITH DISABILITIES ACT**.
- □ IT IS AN IMPORTANT LANDMARK AND IS A SIGNIFICANT STEP IN THE DIRECTION OF **ENSURING EQUAL OPPORTUNITIES** FOR PERSON WITH DISABILITIES AND THEIR FULL PARTICIPATION IN THE **NATION BUILDING**.
- GOALS OF ACT ARE,
 - □ TO **INTEGRATE PERSON** WITH DISABILITIES AND PROVIDE THEM WITH **OPPORTUNITIES FOR FULL PARTICIPATION IN SOCIETY**
 - . □ TO CREATE A SOCIETY IN WHICH DISABLED PERSONS WOULD ENJOY STATUS ON WITH NON-DISABLED PERSON

OTHER ACTS

- **RIGHT TO EDUCATION ACT (2010)**

- 1. PROVIDES EDUCATIONAL OPPORTUNITY IN A NORMAL SCHOOL SETTINGS**
- 2. PROVIDES SPECIAL ATTENTION FOR LEARNING IF IT IS NECESSARY**

- **ARTICLE 5 - EQUALITY AND NON-DISCRIMINATION ARTICLE 6 - WOMEN WITH DISABILITIES**
- **ARTICLE 7 - CHILDREN WITH DISABILITIES**
- **ARTICLE 8 - AWARENESS-RAISING**
- **ARTICLE 9 – ACCESSIBILITY**
- **ARTICLE 10 - RIGHT TO LIFE**
- **ARTICLE 11 - SITUATIONS OF RISK AND HUMANITARIAN EMERGENCIES**
- **ARTICLE 13 - ACCESS TO JUSTICE ARTICLE**
- **14 - LIBERTY AND SECURITY OF THE PERSON**
- **ARTICLE 15 - FREEDOM FROM TORTURE OR CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT**
- **ARTICLE 16 - FREEDOM FROM EXPLOITATION, VIOLENCE AND ABUSE**
- **ARTICLE 17 - PROTECTING THE INTEGRITY OF THE PERSON**