



## Status on Implementation of the Rights of Persons with Disabilities Act, 2016

A study conducted by the Disability Rights India Foundation (DRIF) on the implementation of the Rights of Persons with Disabilities (RPWD) Act, across 24 States, has revealed that **more than half have not notified the State rules.**

- Only ten states including Bihar, Chandigarh, Manipur, Meghalaya, Odisha, Telangana, Tamil Nadu and West Bengal have notified the rules.
- Recently, **Rajasthan was recognised as the best State in implementation of Accessible India Campaign** on the occasion of **International Day of Persons with Disabilities (December 3rd)**.
  - This year's **theme** for International Day of Persons with Disabilities was- "**Empowering persons with disabilities and ensuring inclusiveness and equality**"- declared by the United Nations (UN).
  - It focuses on the **2030 Agenda for Sustainable Development and pledges to "leave no one behind"**. This year also marks the **70th anniversary of the Universal Declaration of Human Rights.**
- **Article 41 of the Directive Principles of State Policy (DPSP)** states that State shall make effective provision for securing right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, within the limits of its economic capacity and development.
- The subject of 'relief of the disabled and unemployable' is specified in **state list of the Seventh schedule of the constitution.**

### Accessible India Campaign (AIC)

- Accessible India Campaign (AIC) is the nationwide flagship campaign of the **Department of Empowerment of Persons with Disabilities (DEPwD), Ministry of Social Justice and Empowerment.**
- The aim of the Campaign is to make a barrier free and conducive environment for Divyangjans all over the country.
- It was **launched on International Day of Persons with Disabilities on 3rd December, 2015.**

### Right of Persons with Disabilities Act 2016

- Disability has been defined based on an **evolving and dynamic concept.**
- The types of disabilities have been **increased from 7 to 21.** The act added mental illness, autism, spectrum disorder, cerebral palsy, muscular dystrophy, chronic neurological conditions, speech and language disability, thalassemia, hemophilia, sickle cell disease, multiple disabilities including deaf blindness, **acid attack victims** and Parkinson's disease which were largely ignored in earlier act. In addition, the **Government has been authorized to notify** any other category of specified disability.
- It increases the quantum of reservation for people suffering from disabilities from **3% to 4% in**

**government jobs** and from **3% to 5% in higher education institutes.**

- Every child with benchmark disability between the age group of **6 and 18 years shall have the right to free education.** Government funded educational institutions as well as the government recognized institutions will have to provide inclusive education.
- Stress has been given to ensure accessibility in public buildings in a prescribed time frame along with Accessible India Campaign.
- The Chief Commissioner for Persons with Disabilities and the State Commissioners will act as regulatory bodies and Grievance Redressal agencies, monitoring implementation of the Act.
- A separate National and State Fund be created to provide financial support to the persons with disabilities.

### **United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)**

- The Convention was adopted by the **General Assembly in December 2006** and it came into **force on in May 2008.**
- The convention seeks to engage member countries in developing and carrying out policies, laws and administrative measures for securing the rights recognized in the Convention and abolish laws, regulations, customs and practices that constitute discrimination.
- It requires countries to identify and eliminate obstacles and barriers and ensure that persons with disabilities can access their environment, transportation, public facilities and services, and information and communications technologies.
- It asks member countries to recognize the right to an adequate standard of living and social protection which includes public housing, services and assistance for disability-related needs, as well as assistance with disability-related expenses in case of poverty.

PDF Reference URL: <https://www.drishtias.com/printpdf/status-on-implementation-of-the-rights-of-persons-with-disabilities-act-2016>

