



## Enhancing Accessibility for Persons with Disabilities

**For Prelims:** [Central Public Works Department](#), [Rights of Persons with Disabilities Act, of 2016](#), [Accessible India Campaign](#)

**For Mains:** Significance in promoting inclusivity and equal rights for PwDs, Government Policies & Interventions

**Source:** [IE](#)

### Why in News?

Recently, the [Central Public Works Department \(CPWD\)](#) has prioritised improving **accessibility for persons with disabilities (PwDs) in public buildings**. Despite the enactment of the [Rights of Persons with Disabilities Act in 2016](#), challenges remain, leading the CPWD to implement measures to ensure adherence to accessibility standards.

### What is the Rights of Persons with Disabilities (RPwDs) Act, 2016?

#### ▪ About:

- The RPwDs Act, 2016, implements the [United Nations Convention on the Rights of Persons with Disabilities](#), ratified by India in 2007.
  - It replaced the **Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995**.
- In India, there were around 26.8 million **persons with disabilities or Divyangjan**, constituting **2.21% of India's total population (2011 Census)**.
- The [National Sample Survey Office \(NSSO\)](#) estimates that 2.2% of the Indian population is disabled.
  - NSSO 76th round, 2019 states that additionally, the incidence of disability in the Indian population during a 365-day period per **1,00,000 people was recorded to be 86**.

#### ▪ Expanded Definition of Disability:

- Disability is defined based on an evolving and dynamic concept.
- In the RPWD Act, 2016, the types of disabilities increased from 7 to 21, with a provision for the Central Government to add more.

#### ▪ Rights and Entitlements:

- Appropriate governments tasked with **ensuring equal rights for persons with disabilities**.
- Additional benefits such as **reservation in higher education** (minimum 5%), **government jobs** (minimum 4%), and **allocation of land** (minimum 5%) provided for persons with benchmark disabilities and those with high support needs.
- **Free education guaranteed for every child** with a benchmark disability between 6 and 18 years.
  - Government-funded and recognized educational institutions mandated to provide inclusive education to children with disabilities.

- Emphasis on making public infrastructure and facilities accessible to persons with disabilities, enhancing their participation and inclusion.
- **Mandates for Public Buildings:**
  - Rule 15 of the **Rights of Persons with Disabilities Rules, 2017** mandates the central government to establish guidelines and **standards for public buildings to ensure accessibility for persons with disabilities.**
    - These standards encompass the physical environment, transport, and **information and [communication technology](#)** for persons with disabilities.
    - Every establishment, including public buildings, must adhere to these standards based on the 2016 harmonised guidelines.
  - **Recent amendments to Rule 15** require establishments to comply **with the 2021 harmonised guidelines**, ensuring accessibility for persons with disabilities.
    - The comprehensive guidelines cover planning, tendering, and specifications for various accessibility features such as ramps, grab rails, lifts, and toilets with considerations for persons with disabilities.
    - All building plans must align with these guidelines to ensure equal access for persons with disabilities.
  - Existing buildings are mandated to **undergo retrofitting within five years to meet accessibility standards**, promoting better inclusivity for persons with disabilities.

## Note

- The **21 disabilities, in RPWD Act, 2016, include** 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 (Dyslexia)**, Multiple Sclerosis, Speech and Language Disability, Thalassaemia, Hemophilia, [Sickle Cell Disease](#), Multiple Disabilities including deaf-blindness, [Acid Attack victim](#), and [Parkinson's disease](#).

## What are the Other Initiatives Related to the Empowerment of the Disabled?

- [Unique Disability Identification Portal.](#)
- [DeenDayal Disabled Rehabilitation Scheme.](#)
- [Assistance to Disabled Persons for Purchase/fitting of Aids and Appliances.](#)
- [National Fellowship for Students with Disabilities.](#)
- [Divya Kala Mela 2023.](#)
- [Accessible India Campaign](#)

## What are the Concerns Regarding Accessibility in Public Buildings?

- PwDs and activists report that the guidelines established in 2016 have **not been effectively implemented**. Furthermore, the newer 2021 guidelines are facing similar neglect from state governments.
  - Analysts state that **no state has yet incorporated the harmonized guidelines into their building by-laws**, indicating a widespread failure to address accessibility issues.
- Experts highlight a **lack of awareness and accountability** among engineers of public works departments responsible for implementing accessibility guidelines.
- Funds for retrofitting projects are available, but many states and cities have **not submitted applications for them**, indicating a failure to prioritise accessibility initiatives.
- The Central Public Works Department's **memo lacks clarity and may lead to unnecessary resource wastage**, further hindering the effective implementation of accessibility measures.

## Central Public Works Department (CPWD)

- The CPWD was originally established in July 1854 as the Ajmer Provisional Division. Its primary

objective was to execute public works, encompassing disciplines such as **architecture, engineering, project management, and building construction and maintenance.**

- Currently, CPWD operates under the Ministry of Urban Development and has a nationwide presence.
- CPWD serves as the prime engineering bloc of the Union government, consisting of three divisions: Buildings and Roads (B&R), Electrical and Mechanical (E&M), and Horticulture.
- In 2016, CPWD embraced **modern dust-free construction methods**, particularly the monolithic system, for all projects exceeding a budget of Rs 100 crore.
  - The **monolithic system involves pouring concrete for beams and slabs together**, forming a unified construction component.

## UPSC Civil Services Examination, Previous Year Question (PYQ)

### Prelims

**Q. India is home to lakhs of persons with disabilities. What are the benefits available to them under the law? (2011)**

1. Free schooling till the age of 18 years in government run schools.
2. Preferential allotment of land for setting up business.
3. Ramps in public buildings.

**Which of the statements given above is/are correct?**

- (a) 1 only
- (b) 2 and 3 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

**Ans: (d)**

### Mains

**Q. Does the Rights of Persons with Disabilities Act, 2016 ensure effective mechanism for empowerment and inclusion of the intended beneficiaries in the society? Discuss. (2017)**