

COMPOSITE REGIONAL CENTRE, SRINAGAR

www.crcsrinagar.com

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995

“The persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995” has come into enforcement on February 7, 1996 as an important landmark & significant step in the direction to ensure full participation of persons with disabilities in the nation building. The Act provides, preventive and promotional aspects of rehabilitation like education, employment and vocational training, reservation, research and manpower development, creation of barrier-free environment, rehabilitation of such persons, unemployment allowance, special insurance scheme for the disabled employees and establishment of homes for persons with severe disability etc.

Main Provisions of the Act

- 1 Prevention and Early Detection of Disabilities
- 2 Education
- 3 Employment
- 4 Non-Discrimination
- 5 Research and Manpower Development
- 6 Affirmative Action
- 7 Social Security
- 8 Grievance Redressal.

Chapter-IV-Prevention and early detection of disabilities

- 9 Surveys, investigations and research shall be conducted to ascertain the cause of occurrence of disabilities.
- 10 Various measures shall be taken to prevent disabilities. Staff at the Primary Health Centre shall be trained to assist in this work.
- 11 All the children shall be screened once in a year for identifying “at –risk” cases.
- 12 Awareness campaigns shall be launched and sponsored to disseminate information.
- 13 Measures shall be taken for pre-natal, perinatal, and postnatal care of the mother and child.

Chapter- V- Education

Right to Free Education

- 14 Every child with disability shall have the rights to free education till the age of 18 yrs in integrated schools or special schools.
- 15 Appropriate transportation, removal of architectural barriers, restructuring of curriculum and modifications in the examination system shall be ensured for the benefit of children with disabilities.
- 16 Children with disabilities shall have the right to free books, scholarships, uniform and other learning material.
- 17 Special schools for children with disabilities shall be equipped with vocational training facilities.
- 18 Non-formal education shall be promoted for children with disabilities.
- 19 Teachers Training Institutions shall be established to develop requisite manpower.
- 20 Parents may move to appropriate for a for the redressal of grievances regarding placement of their children with disabilities.

Chapter-VI-Employment

- 21 3% of vacancies in government shall be reserved for people with disabilities
1% each for persons suffering from:
 - 22 Blindness or Low Vision
 - 23 Hearing Impairment
 - 24 Locomotor Disability & Cerebral Palsy
- 22 Suitable schemes shall be formulated for
- 23 The training and welfare of persons with disabilities
- 24 The relaxation of upper age limit
- 25 Regulating the employment
- 26 Health and safety measures and creation of a non-handicapping environment in places where persons with disabilities are employed.
- 23 Government Educational Institutes and other Educational Institutes receiving grant from Government shall reserve at least 3% seats for people with disabilities.
- 24 No employee can be sacked or demoted if they become disabled during service, although they can be moved to another post with the same pay and condition. No promotion can be denied because of impairment.

Chapter-VII-Affirmative Action

- 1 A people with disabilities.
- 25 Allotment of land shall be made at concessional rates to the people with

disabilities for :

- House
- Business
- Special Recreational Centres
- Special Schools
- Factories by Entrepreneurs with Disability.

Chapter-VIII- Non-Discrimination

- 26 Public buildings, rail compartments, buses, ships and air-crafts will be designed to give easy access to disabled people.
- 27 In all public places and in waiting rooms, toilets shall be wheel chair accessible. Braille and sound symbols are also to be provided in lifts.
- 28 All the places of public utility shall be made barrier-free by providing ramps.

Chapter-IX-Research and Manpower Development

- 29 Research in the following areas shall be sponsored and promoted:
 - Prevention of Disability
 - Rehabilitation including CBR
 - Development of Assistive Devices
 - Job Identification
 - On site Modifications of Offices and Factories
- 30 Financial assistance shall be made available to the universities, other institutions of higher learning professional bodies and non-government research units or institutions for undertaking research for special education, rehabilitation and manpower development.

Chapter-XIII- Social Security

- 31 Financial assistance to non-government organizations for rehabilitation of persons with disabilities.
- 32 Insurance coverage for the benefit of the government employees with disabilities.
- 33 Un-employment allowance to people with disabilities registered with the special employment exchange for more than a year and who could not be placed in any gainful occupation.

Chapter-XIV-Grievance Redressal.

- 34 In case of violation of rights as prescribed in that act, people with disabilities may move an application to:
 - 35 Chief Commissioner for Person with Disabilities in the Centre
 - 36 Commissioner for Persons with Disabilities in States.