



PERSON WITH DISABILITY ACT {2016}

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17112(a)



History



- The Rights of Persons with Disabilities Act, 2016 is the disability legislation passed by the Indian Parliament to fulfill its obligation to the United Nations Convention on the Rights of Persons with Disabilities, which India ratified in 2007.
- The Act replaces the existing Persons with Disabilities (Equal Opportunity Protection of Rights and Full Participation) Act, 1995
- The Bill was passed by the RajyaSabha on 16 February 2016 and received the President's assent on 27 December 2016.



Goals



- The main goal of this law is to protection from cruelty and inhuman treatment, protection from abuse, violence and exploitation, protection and safety.
- And provide education, way for earning to make them self-dependant, social security, health, rehabilitation and recreation etc.

principle



- (a) respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons
- (b) non-discrimination;
- (c) full and effective participation and inclusion in society
- (d) respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
- (e) equality of opportunity
- (f) accessibility
- (g) equality between men and women



Structure

- (1) The Central Government may, by notification, appoint a Chief Commissioner for Persons with Disabilities (hereinafter referred to as the “Chief Commissioner”) for the purposes of this Act.
- (2) The Central Government may, by notification appoint two Commissioners to assist the Chief Commissioner, of which one Commissioner shall be a persons with disability.
- (3) A person shall not be qualified for appointment as the Chief Commissioner or Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation.



structure



- ❑ Functions of Chief Commissioner;-
- ❑ 1) review the factors that inhibit the enjoyment of rights of persons with disabilities and recommend appropriate remedial measures.
- ❑ 2) monitor implementation of the provisions of this Act and schemes, programmes meant for persons with disabilities.
- ❑ 3) monitor utilisation of funds disbursed by the Central Government for the benefit of persons with disabilities.
- ❑ 4) The Chief Commissioner shall consult the Commissioners on any matter while discharging its functions under this Act.

Practical realization



- The Central Government shall maintain proper accounts and other relevant records and prepare an annual statement of accounts of the Fund including the income and expenditure accounts.
- The accounts of the Fund shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him.
- any expenditure incurred by him in connection with such audit shall be payable from the Fund to the Comptroller and Auditor-General of India.

significance



- ❑ “leprosy cured person” means a person who has been cured of leprosy but is suffering from
- ❑ loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity
- ❑ manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity
- ❑ “dwarfism” means a medical or genetic condition resulting in an adult height of 4 feet 10 inches (147 centimeters) or less;