

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

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SUBJECT :- MEDICAL LAW

GROUP NO:- 17LL5(A)

Information

- ▶ Name: The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
- ▶ Country: **India**
- ▶ Subject(s): it made it unlawful to discriminate against people in respect of their disabilities in relation to employment, the provision of goods and services, education and transport.
- ▶ Type of legislation: Law, Act
- ▶ Adopted on: 1995

Goals

- ▶ Appropriate Governments and local authorities to provide children with disabilities free education, to make schemes and programmes for non-formal education.
- ▶ Identification of posts which can be reserved for persons with disabilities.
- ▶ Special Employment Exchange.
- ▶ All educational institutions to reserve seats for persons with disabilities.
- ▶ Non-discrimination in transport, on the road, in the built environment, in Government Employment.

Principles

The core concepts in the DDA 1995 are, instead:

- ▶ less favorable treatment for a reason related to a disabled person's disability; and failure to make a "reasonable adjustment".
- ▶ employers are likely to find it reasonable to provide accessible IT equipment;
- ▶ many shops are likely to find it reasonable to make their premises accessible to wheelchair users;
- ▶ councils are likely to find it reasonable to provide information in alternative formats (such as large print) as well as normal written form.

Structure and main articles

- ▶ Preliminary
- ▶ The central coordination committee
- ▶ The state coordination committee
- ▶ Prevention and early detection of disabilities
- ▶ Education
- ▶ Employment
- ▶ Affirmative action
- ▶ Non-discrimination

Other articles

- ▶ Research and manpower development
- ▶ Recognition of institutions for persons with disabilities
- ▶ Institution for persons with severe disabilities
- ▶ The chief commissioner and commissioners for persons with disabilities
- ▶ Social security
- ▶ Miscellaneous

Practical realization

- ▶ The *Rights of Persons with Disabilities Act, 2016* replaces the *erstwhile Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995*.
- ▶ The law on protection and prohibition of discrimination of the disabled has come into effect on *April 19, 2017*. The rules thereunder have been made effective from *June 15, 2017*.

Significance

- ▶ With the increase of industries in India, the role of the corporate sector in generating job opportunities had increased tremendously. For many years now, there has been a pressing need to create awareness amidst the corporate sector to take active responsibility in recognizing the abilities of disabled persons and give them equal opportunities in the job market. By enacting the Disability Law, the Indian Government has succeeded in promoting equal employment opportunity for the disabled in the private sector as well, by casting mandatory obligations on private employers.
- ▶ According to the United Nations, around one billion people live with disabilities globally. Among them, 40 to 80 million live in India²³. Prejudice, coupled with lack of facilities and opportunities, has often curbed them from leading a normal life. Given the mandatory requirement to build equal opportunities for the disabled, the above statistics are likely to reduce in the years to come.

THANK YOU