

The Rights of Persons with Disabilities Act, 2016

- **What is the purpose of the Disabilities Act?**

The Act's main intention is to maintain dignity, individual autonomy, ensure effective participation in society, help the disabled equal opportunity, accessibility, and help the disabled preserve their identities.

- **What are some atrocities faced by Persons with Disabilities?**

Accessibility -They mostly move around in wheelchairs or use crutches. So, moving around freely is not a luxury that they can afford. Moreover, the public places that we have, are rarely made keeping in mind the comfort of people with disabilities. There are no ramps, or the hallways are too narrow for them to move.

Education -A large number of children with disabilities remain out of school and thus they are deprived of basic education. They are not able to run the race of life like the other normal kids.

To solve this issue, several education institutions have been opened which focuses on the education of these kids with special needs, they learn the Braille System and adaptive technology helps them lead a better life.

Lack of employment – Employment of any citizen is based upon his education and skills he has picked up along the way. When these people are deprived of basic education, they are bound to fall behind other candidates for that job. The government has introduced schemes which should guarantee jobs for disabled people.

- **What are the rights guaranteed under this Act?**

- Right to Equality
- Right to Live with Dignity
- Right to Equal Integrity

- **What are some special provisions for Persons with Disabilities under the Act?**

- **Reservation:** This act allows positive discrimination for achieving legitimate aims. 5% reservation in seats in Government and Government aided higher educational institutions for persons with benchmark disabilities. 4% reservation in Government jobs for certain persons or class of persons with benchmark disability.
- **Accessibility:** The act also impresses that no disabled person should be deprived of his/her personal liberty based on his/her disabilities. This act also provides appropriate steps for the accommodation of disabled people into society. Facilities like ramps, wheelchairs should be available in recreational facilities.
- **Prevention of cruelty:** This act also encompasses specific steps to
 - a) take cognizance of incidents of abuse, violence, and exploitation and provide legal remedies available against such incidents;
 - b) take steps for avoiding such incidents and prescribe the procedure for its reporting;
 - c) take steps to rescue, protect and rehabilitate victims of such incidents;
 - d) create awareness and make available information among the public.

- **What are some legal remedies provided to Persons with Disabilities?**

In case of violation of the rights as prescribed in The Persons with Disabilities Act, 1995, people with disabilities may move an application to the Chief Commissioner for Persons with Disabilities in the Centre, or Commissioner for Persons with Disabilities in the State. For the purpose of providing speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification, specify for each district, a Court of Session to be a Special Court to try the offences under The Rights of Persons with Disabilities Act, 2016 Act.

They are also encouraged to approach the court on any other violation of Fundamental Rights under Article 32 and Article 226 to the Supreme Court and High Court respectively.