

INDIAN LEGISLATION IN THE FIELD OF CHILDREN WITH DISABILITIES



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THE ACTS FOR DISABILITIES

1. Rehabilitation Council of India Act, 1992.
2. Persons with Disability (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
3. National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act, 1999.

GOALS

- Prevention and Early Detection of Disabilities.
- Education.
- Employment.
- Non-discrimination.
- Research and Manpower Development.
- Affirmative Action.
- Social Security.
- Grievance Redressal.

PRINCIPLES

- ⦿ Respect for difference and acceptance of person with disabilities as part of human diversity and humanity:
- ⦿ Equality of opportunity
- ⦿ Accessibility
- ⦿ Equality between men and women
- ⦿ Respect for evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

CHARACTERISTICS

- Surveys, investigations and research shall be conducted to ascertain the cause of occurrence of disabilities.
- Various measures shall be taken to prevent disabilities. Staff at the Primary Health Centre shall be trained to assist in this work.
- All the children shall be screened once in a year for identifying “at-risk” cases.
- Every child with disability shall have the right to free education till the age of 18 years in integrated schools or special schools.

CHARACTERISTICS

- Appropriate transportation, removal of architectural barriers and restructuring of modifications in the examination system shall be ensured for the benefit of children with disabilities.

- Children with disabilities shall have the right to free books, scholarships, uniform and other learning material.

- Three percent of vacancies in government employment shall be reserved for people with disabilities, one percent each for persons suffering from:
 - Blindness or Low Vision
 - Hearing Impairment
 - Locomotor Disabilities & Cerebral Palsy

CHARACTERISTICS

- Public building, rail compartments, buses, ships and aircrafts will be designed to give easy access to disabled people.
- 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.
- All the places of public utility shall be made barrier-free by providing ramps.
- Insurance coverage for the benefit of the government employees with disabilities

PRACTICAL REALIZATION

- ⦿ After implanting these 3 important acts, the disabled children's condition in India has strongly improved.
- ⦿ After 2014, 90% of all disabled children who were born, all of them gets their social, educational, medical, economical rights.
- ⦿ Although in some cases, government founded misuse of these acts. So after 2017 government regulated a law where every disabled person have to register their names and give proof of their social and economical condition, every year

SIGNIFICANCE

- ⊙ For people with disabilities, a piece of law is a boon and not less. This act is widely related to the rights of persons with disabilities.
- ⊙ It also orders the government to perform its duties in the most diligent manner and to make plans and programs in the direction of community welfare. This act is definitely a good step in that direction.