

RPWD Act 2016

RIGHTS OF PERSONS WITH DISABILITY ACT, 2016

Role and responsibilities of Stake Holder Departments



SOCIAL JUSTICE DEPARTMENT

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District Administrations

- District Administration can coordinate the programmes and schemes of all development department in the district to develop comprehensive programme to ensure convergence of the programmes of the Government for the development of the disabled persons.
- District Administration needs to undertake a detailed survey to identify persons with disabilities living in the district so that an action plan to cover each person by appropriate benefits can be drawn up. Most of the problems of the poor and destitute persons with disabilities could be dealt with by effectively bringing them into the fold of the Government schemes that already exist.
- However benefits under most of the schemes are not reaching to the disabled persons because there is very little awareness among the implementing officers about the need to focus on the disabled persons or even the earmarking of funds under schemes for persons with disabilities.
- As leader of the team at district level convergence and synergy among various developmental schemes for persons with disabilities can be ensured.
- To be ensured that persons with disabilities have been issued disability certificates in the standard format prescribed by the Ministry of Social Justice and Empowerment and adopted by the State Governments.
- To be ensured that persons with disabilities get a minimum of 3% jobs in government at the district level, 3% seats in government and aided educational institutions and a minimum of benefit from poverty alleviation schemes.
- As Chairman of the Local Level Committee formed under National Trust Act, Guardianship issues for persons with disabilities may also be decided to help in setting up at least one relief/ respite care facility.
- DRDA, District red cross Society, local bodies and NGOs may be encouraged to access funds under ADIP scheme to provide necessary aids and appliances to persons with disabilities living in your district.
- As Chairman of District Management Team of the District Disability Rehabilitation centres in the respective district, all services to persons with disabilities under one roof may be provided. Public places like the Collectorate, hospitals, bus stations, schools, parks, banks, post offices, market places, etc are made free of physical barriers.



Social Justice Department

Social Justice Department is the Nodal Department for implementing The Rights of Persons with Disabilities Act – 2016 (RPWD Act). As part of implementation of various provisions of the act, Government has constituted various committee and has been implementing various welfare schemes, strengthening programmes for the welfare of Persons with disabilities (PwDs)

- Department has conducted survey of PwDs of the state in the year 2015 and as per the Census Report -2015 there are 7,93,937 disabled people in Kerala. At present department is collecting individual details of each and every disabled people.
- As per section 33 of the act, an Expert committee chaired by Secretary, Social Justice department was constituted for identifying posts suitable for PwDs in Government sector. The committee have identified various posts suitable for PwDs till date.
- Local Level Committee have been constituted in all districts chaired by District Collectors for ensuring legal rights of persons with disabilities especially for the mentally challenged people. This committee issues Guardianship Certificates for the Mentally Challenged people.
- Department has been implementing various schemes for ensuring the social, economic rights of PwDs
- The department has created 2677 supernumerary posts for the PwDs, those who completed 179 days of service through employment exchange appointment in various departments.
- Department has been issuing Disability Awards for Best employee in government sector and best institution working for disabled every year on December 31st.
- The Act envisages to provide Disabled friendly environment to PwDs. As part of that, the scheme named Barrier free Kerala Scheme has been implementing by the department. For this fund was issued to District collectors of Kannur, Malappuram and Wayanad for transforming all public buildings in to barrier free in the last financial years. Action has been initiated to issue fund District collectors of Pathanamthitta and Thirissur in this financial year.
- In addition to above department has been implementing so many district centred schemes and programmes and through Different NGOs / autonomous bodies/LSGIs for the welfare PwDs.

Sub-Divisional Officer/ Tahsildar/ Circle Officer/Revenue Official

- To facilitate free house site on pattas to those disabled persons who are living below the poverty line. Land is one of the greatest assets for any individual. Granting of house site on pattas or agricultural land patta will enhance self esteem among persons with disabilities and strengthen them economically.
- To ensure that disabled persons living below the poverty line are provided with pension under National Social Assistance Programme.
 - To ensure that the disabled persons are given the income certificates, community certificates, nativity/ Residential certificates and all the other required certificates in a timely manner so that they do not have to come to the Revenue/Taluk office time and again.



Project Director of District Rural Development Agency (DRDA)

- To ensure that all the disabled persons are organized into Self help groups(SHG) and suitable training is available for their skill up-gradation. They can be provided financial assistance for their self-employment.
- To ensure a minimum of 3% fund flow to persons with disabilities under DRDA schemes, necessary monitoring mechanism should be developed by DRDA.

Persons with disabilities engaged in self-employment activities can be provided support in procuring necessary raw materials and marketing of their products.

- To issue guidelines for making all schools, community buildings, bus station, etc., barrier-free by using the funds provided to the DRDA for development of infrastructure.

District Education Officer/Headmaster/School Teacher

- To ensure that all the disabled children who are of school going age are enrolled in the school(s). Very often, parents do not bring the child to the school because they feel that the child may not be able to study along with other children, or that their children will be bullied.
- As Headmaster or a School teacher, it is ensured that all disabled children of poor parents are given free education up to 18 years of age as provided for in the Persons with Disabilities Act, 1995, and as per the RTE Act, 2009 and its Amendments 2012.
- Scholarships should be given to the eligible disabled children to help them to complete education.
- Free books and uniforms could be given to disabled children.
- To make sure that ramps are available for wheelchair users and the toilets and drinking water facilities are made accessible.
- To ensure that teachers are sensitized/trained in the use of simple techniques that facilitate integration /inclusion of students with disabilities.
- To inculcate positive attitude in all the teachers and children to treat those with disabilities with empathy.

Chief Medical Officer/PHC in-charge/ Medical Doctor

- It is essential to issue a Disability Certificate/ Identity card to each and every disabled person. The identity card is a very important document and it must be ensured that the details about the disabled person, i.e his/her name, address, age, sex, type and extent of disability etc., are recorded accurately in the identity card. It can be used by the holder to access assistance under the Government schemes or availing an employment opportunity.



- Doctor can certify and coordinate with the District Disabled rehabilitation Officer to ensure that all the handicapped people in the district are provided with an identity card. Special camps at Primary health Centres may be organised by mobilizing all the disabled persons to ensure that each and every disabled persons within the limit of PHC

has been provided identity card.

- To create awareness on the causes of disability and thereby prevent many conditions resulting in disability, people can be explained the importance of cleanliness, balanced dietary habits, maternal nutrition and care, right birth practices, early childhood care, immunisation and sanitation in preventing disability.

Municipal Commissioner

- Plans of public buildings should be passed only if they incorporate features for easy accessibility persons with disabilities.
- to ensure that all the shops, commercial establishments, cinema theatres, bus stations etc., are provided with facilities like ramp, hand railings and made accessible for wheel chair users and for persons with disabilities.
- To build special toilets for the disabled persons and for the users of wheel chairs and tricycles.
- To ensure proper drainage, sanitation and cleanliness in your area to prevent causes that can result in disability. It may also ensure that there is no dry latrine within the municipality as these are the breeding grounds for many diseases which lead to disability.

Executive Engineer/Municipal Engineer

- To ensure that all public buildings that come up in future, conform to the model building bye- laws and guidelines circulated by the CPWD incorporating barrier-free features.
 - To ensure that even in existing buildings, minor modification such as building a ramp parallel to the steps for entering a building, are carried out to facilitate access to the persons with disabilities.
 - Lifts installed in public buildings must have sound signal systems to help persons with visual impairments.

Scheduled Caste/Scheduled Tribe Development Officer

- To give assistance under various schemes to SC/St disabled persons for self-employment for starting a business

enterprise like provision stores, tea shops, vegetables and fruit stalls, STD booth, etc.

- To ensure that due representation is available for persons with disabilities from Scheduled castes and Scheduled tribes, in all programmes/schemes.

General Manager of Banks

- To give assistance under various schemes not only to SC/St beneficiaries but also for the disabled persons belonging to various categories. Under Prime Minister's Rojgar Yojana(PMRY), disabled youth may be helped to set up STD booths, Xerox centres and computer internet Browsing centres, etc.
- To provide necessary training and support to disabled persons in setting up of small businesses and production units.

District Sports Officer

To organise sports festivals for disabled children and provide necessary support to schools and colleges for encouraging participation in sports activities for disabled children.

Head of the Transport Department

- To give free bus passes to the eligible disabled persons as per the recommendation of the District Disabled Rehabilitation Officer.
- To ensure that public transport buses have seats earmarked for the disabled persons.

District Employment Officer

- To ensure that eligible persons with disabilities who are seeking employment are registered in the local employment exchange.
- To ensure that the government local bodies and Government undertakings furnish information to employment exchange about vacancies reserved for the disabled.
- To organise interactions between the disabled persons and the private employers as well as the Government employers.
- To make sure that unemployment allowance is given to all handicapped persons who are without any gainful occupation

