

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

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BILL

*further to amend the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981*

Whereas it is expedient to amend the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (XL of 1981) to provide the facilitative system for the disabled persons at gross root level.

It is hereby enacted as follows:-

**1. Short title and commencement.**- (1) This Act may be called the Disabled Persons (Employment and Rehabilitation) (Amendment) Act, 2015.

(2) It shall come into force at once

**2. Amendment of Section 2, Ordinance XL of 1981.**- In the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (XL of 1981), hereinafter referred to as the said Ordinance, in Section 2,-

(i) for sub-section (a), the following shall be substituted, namely:-

“(a) ‘Chairman’ means the Chairman of the National Council, Provincial Council, District Council, Tehsil Council and Local Council, or as the case may be”;

(ii) after sub-section (d), the following new sub-section shall be inserted, namely:-

“(dd) ‘District Council’ means the district council established under Section 64”;

(iii) in sub-section (f), for the words ‘one hundred’, the word ‘fifty’ shall be substituted;

(iv) after sub-section (g), the following new sub-section shall be inserted, namely:-

“(gg) ‘Government’ means Federal Government, a Provincial Government, District, Tehsil and Union Council, or as the case may be”;

(v) for sub-section (h), the following shall be substituted, namely:-

“(h) ‘Government establishment’ includes any autonomous or semi-autonomous body, university, college, professional school and any organization controlled or managed by the Federal Government, a Provincial Government, District, Tehsil and Union Council”;

(vi) after sub-section (h), amended as aforesaid the following new sub-section shall be inserted, namely:-

"(hh) 'Local Council' means the Local Council established under section 6E";

(vii) in sub-section (k), the word 'and' occurring at the end, shall be omitted;

(viii) for sub-section (l), the following shall be substituted, namely:-

"(l) 'Secretary' means the Secretary of the National Council, Provincial Council, District Council, Tehsil Council or Local Council, as the case may be; and";

(ix) after sub-section (l), amended as aforesaid, the following new sub-section shall be added, namely:-

"(m) 'Tehsil Council' means a Tehsil Council established under section 6C";

3. **Insertion of new Section 2A, Ordinance XL of 1981.**- In the said Ordinance, after Section 2, amended as aforesaid, the following new Section shall be added, namely:-

**"2A steps and Facilities.**- Facilities to be provided for the Welfare of disabled persons at all levels. The following necessary facilities will be provided on top priority basis by the Federal Government, a Provincial Government, District, Tehsil and Union Council:-

- (a) Government will make ensure quota of two percent (2%) and take steps to fix Employment quota equal to the percentage of disability existing in the society for disabled persons for employment in the federal, provincial and district departments and if any institution or department ignores the quota of two percent (2%) for disabled persons while giving advertisement for employment, then a serious action be taken against them;
- (b) Government will give and ensure full concession in admission fee and relief up to seventy-five percent (75%) in tuition fee in government educational institutions and fifty percent (50%) in private educational institutions and other financial assistance required by needy disabled persons and seats will be reserved in every stage of education;
- (c) It would be the duty of the Federal Government and NADRA to provide Special Computerized National Identity Card (SCNIC) at home to disabled persons on reaching the age of eligibility for CNIC automatically.
- (d) Government will ensure to provide fifty percent (50%) concession on total charges of tickets including all taxes to the disabled persons in PIA, Pakistan Railway, public and private transport companies;
- (e) Government will provide free treatment to the disabled persons in federal, provincial, district, tehsil headquarters, social security hospitals, dispensaries and

in private hospitals govt will ensure to provide the treatment to the person with disabilities on sixty percent (60%) discount charges basis ;

- (f) Federal government will provide and ensure special discount of thirty percent (30%) to the disabled persons in utility stores; for such facility utility stores will be issued directions.
- (g) Government will provide and ensure availability of wheel chairs for disabled persons at airports, parks, railway stations and at other public places and managements will be directed to facilitate the persons with disabilities completely and satisfactory.
- (h) Pakistan Bait-ul-Mal, Zakat and Ushr departments will provide help on monthly basis to the needy disabled persons and a sum of rupees one hundred thousand (Rs. 100,000) will be given on the marriage of each disabled children. Pakistan Bait-ul-Mal will give interest free loans up to rupees three hundred thousand (Rs. 300,000) for establishing small businesses;
- (i) Government will increase and ensure special quota for the disabled persons in Federal and Provincial Public Service Commission;
- (j) The Federal Government will, in order to provide disabled persons public facilities easily will direct all private and government based constructed buildings, traffic and other public facilities, give appropriate consideration to the structure of the said facilities and the improvement of equipment therein;
- (k) Government will ensure full access to knowledge through information technology with the help of adoptive software's and hardwares which have become a common facility for visually impaired, deaf and physically handicapped;
- (l) Government will take steps for zero tolerance with regard to the any type, nature, behavior of mishandling of person with disabilities by any person, department, private or public organization and make sure the utmost respect and access to them.
- (m) Government will give full relief to disabled persons on import of vehicles and other items relating to disabilities;
- (n) Government will not only prefer but ensure and take steps for the appointments of disabled persons while recruiting on posts of easy nature such as tube-well operator etc, staff of complaint offices of utility departments, i.e. gas, electricity and water authorities from federal to the union council level and after the commencement of this act, on above and similar posts, persons with disabilities will be only employed.
- (o) All the disabled persons working on contractual basis in any institution of government or private shall become permanent automatically within a period of three months after the commencement of this amended Act and it is the duty of

the concerned organization to complete all formalities within the three month after the commencement of this act.

**4. Insertion of new sections, Ordinance XL of 1981.**- In the said Ordinance, after Section 6, the following new sections shall be inserted, namely:-

**“6A District Council** – A provincial government shall establish a Council to be called as the District Council for providing facilities and full cooperation to the persons with disabilities at district level, consisting of the following chairman and members:-

- (i) The District Nazim/DCO (District Coordination Officer), who shall also be its Chairman;
- (ii) One representative of the Education Department;
- (iii) One representative of the Health Department;
- (iv) One representative of the Zakat and Ushr Department;
- (v) One representative of the Labour Department;
- (vi) One representative of the persons with disabilities;
- (vii) Chairmen of the Tehsil Councils; and
- (viii) Secretary of the District Council appointed by the Chairman.

**6B. Functions of the District Council** – Subject to the directions given by the Federal Government and a Provincial Government, District Council shall:-

- (a) Formulate policy for providing facilities of employment, rehabilitation and welfare to the persons with disabilities at district level;
- (b) Evaluate, assess and coordinate the execution of federal and provincial policy at district level and have overall responsibility for the achievement of the purposes of this Act;
- (c) Coordinate the survey of the persons with disabilities in the whole district through the Tehsil and Local Councils;
- (d) Arrange and coordinate the medical facilitation and treatment of the persons with disabilities at district level and health counters shall be established in the hospitals and shall provide useful appliances and other devices needed by persons with disabilities to help with their disabilities;
- (e) Control and supervise the establishment of training centers for persons with disabilities;
- (f) A facilitation counter shall be established in every department at district level;
- (g) Build coordination among the institutions established for the welfare of persons with disabilities;
- (h) The Council shall arrange awareness campaign on electronic and print media about the problems faced by persons with disabilities and solutions and facilities provided by the government at district level;
- (i) Ensure the employment quota of two percent (2%) increasingly for persons with disabilities at district, tehsil and union council levels;
- (j) Ensure the full concession in admission and relief of seventy-five (75%) in tuition fee in government institution and fifty percent (50%) in private institutions and

other financial assistance provided to needy persons with disabilities at district level;

- (k) Promoting research and development in the protection, medical treatment, living guidance, rehabilitation training according to the age, type and severity of disability. It would be the duty of the district council to take such other measures as are necessary for carrying out purposes of this Act; and
- (l) To implement in the letter and spirit of those facilities ensured under Section 2A.

**6C Tehsil Council** – The District Government shall establish a council to be called the Tehsil Council for providing facilities and full cooperation to the persons with disabilities consisting of the following members, namely:-

- (i) The Tehsil Nazim/TMO, who shall also be its Chairman;
- (ii) One representative of the Education Department;
- (iii) One representative of the Health Department;
- (iv) One representative of the Zakat and Ushr Department;
- (v) One representative of the Labour Department;
- (vi) One representative of the persons with disabilities;
- (vii) Chairmen of the Local Councils; and
- (viii) Secretary of the Tehsil Council appointed by the Chairman.

**6D Functions of the Tehsil Council** – Subject to the directions given by District Council, the Tehsil Council shall:-

- (a) Follow the policy given by the District Council for providing facilities of employment, rehabilitation and welfare of the persons with disabilities at Tehsil level;
- (b) Coordinate the execution of Federal, Provincial and District policies at Tehsil level and have overall responsibility for the achievement of purposes of this Act;
- (c) Coordinate the survey of the persons with disabilities in the whole Tehsil through local councils;
- (d) Arrange and coordinate the medical facilities and treatment of the persons with disabilities at Tehsil level and health counters shall be established in the hospitals and shall provide prosthetic appliances and other devices needed by the persons with disabilities to help with their disabilities;
- (e) Control and supervise the establishment of training centers for persons with disabilities;
- (f) A facilitation counter shall be established in every department at tehsil level and make arrangements for the establishment of counters at union council level;
- (g) Build coordination among the institutions established for the welfare of persons with disabilities;
- (h) The Council shall arrange awareness campaign on electronic and print media about the problems faced by persons with disabilities and solutions and facilities provided by the government at district, tehsil and union council level;
- (i) Ensure the employment quota of two percent (2%) increasingly for persons with disabilities at tehsil and union council levels;
- (j) Ensure the full concession in admission and relief of seventy-five (75%) in tuition fee in government institution and fifty percent (50%) in private institutions and

- other financial assistance provided to needy persons with disabilities at tehsil level;
- (k) Promoting research and development in the protection, medical treatment, living guidance, rehabilitation training according to the age, type and severity of disability. It would be the duty of the tehsil council to take such other measures as are necessary for carrying out purposes of this Act; and
  - (l) To implement in letter and spirit those facilities ensured under Section 2A.

**6E. Local Council** – The Union council Government shall establish a council to be called the Local Council for providing facilities and full cooperation to the disabled persons consisting of the following members, namely:-

- (i) The Union Council Nazim, who shall also be its Chairman;
- (ii) One representative of the Education Department;
- (iii) One representative of the Health Department;
- (iv) One representative of the Zakat and Ushr Department;
- (v) One representative of the Labour Department;
- (vi) One representative of the persons with disabilities;
- (vii) Secretary of the tehsil council
- (viii) Secretary of the Union Council will be Secretary of the Local Council.

**6F. Functions of the Local Council** – Subject to the directions given by District Council, the Local Council shall:-

- (a) Follow the policy given by the Federal, Provincial, District and Tehsil Council for providing facilities of employment, rehabilitation and welfare of the persons with disabilities at Union Council level by providing means for facilitating daily life, by making visits to the homes of the persons with disabilities or other measures;
- (b) Implement the Federal, Provincial, District and Tehsil policy matters and have full responsibility for the achievement of the purposes of this Act.
- (c) Coordinate the survey of the persons with disabilities in the union council;
- (d) Register the cases for the medical examination and treatment of the persons with disabilities from the union council;
- (e) Establish and supervise the training centers with the help of District and Tehsil Councils for the persons with disabilities;
- (f) A facilitation counter shall be established in every department at union council level and that counter would be responsible for providing basic necessities to the persons with disabilities with the cooperation of NADRA for educational admissions, registration of births, issuing birth certificates for children, Computerized National Identity Card (CNIC), Passports and others necessities of life.
- (g) Build coordination among the institutions established for the welfare of persons with disabilities;
- (h) The Local Council shall arrange programs, special facilities of sports, recreation, transport and give full cooperation and provide facilities as persons with disabilities need or require and it would be the duty of the Local Council to have coordination with the Tehsil, District and Province for all the matters related to the persons with disabilities;

