

Safeguarding rights of disabled persons by DDA and L&DO

3298. SHRI RAM KUMAR KASHYAP: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) the rights and facilities available to the persons with disabilities, the measures taken to safeguard the same;

(b) the complaints received from disabled persons concerning the same during the years 2016 and 2017 together with the action taken on each complaint;

(c) whether Government and office of the Chief Commissioner for Persons with Disabilities (CCPD) have received complaints against Delhi Development Authority (DDA) and Land and Development Office (L&DO) for not framing schemes as per the provisions of Section 43 of the Persons with Disabilities Act; and

(d) if so, the action taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI KRISHAN PAL): (a) The Central Government enacted the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (PwD Act, 1995) for the empowerment of persons with disabilities. The Act provides various entitlements for persons with disabilities and also mandates the appropriate Government to take measures in the area of education, rehabilitation, creating barrier-free environment for persons with disabilities to ensure their inclusion and full participation in the society.

Further, Government has recently notified the Rights of Persons with Disabilities Act, 2016 on 28.12.2016 which would replace the PwD Act, 1995. The new Act mandates the appropriate Government to ensure that persons with disabilities enjoy the right to equality, life with dignity and respect for his or her integrity equally with others. The act also envisages right of persons with disabilities to live in community, protection from cruelty and inhuman treatment, protection from abuse, violation, exploitation, reproductive rights etc. The new Act mandates the appropriate Government to take measures to promote education, skill development, social security, health facility, rehabilitation, and recreation for persons with disabilities.

In order to safeguard the rights of persons with disabilities at the central level, the Chief Commissioner for Persons with Disabilities has been appointed under Section 57 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. Also under the scheme for Implementation of Persons with

Disabilities Act, 1995 (SIPDA), one time grants-in-aid within a limit of ₹ 15.00 lakh is released to the States/UTs for strengthening the office of the State Commissioners to monitor implementation of the provisions of the Act.

The Right of Persons with Disabilities Act, 2016 provides same mechanism of safeguarding the rights of persons with disabilities as that of PwD Act, 1995, through the Chief Commissioner for Persons with Disabilities and State Commissioners for Persons with Disabilities.

(b) As per information available from Office of Chief Commissioner for Persons with Disabilities (O/o CCPD), details of complaints received in their office from 2015-16 and 2016-17 (upto 28.02.2017) and complaints disposed of by them are as under:—

2015-16			2016-17 (upto 28.02.2017)		
Received during the year	Brought forward from previous year	Disposed off	Received during the year	Brought forward from previous year	Disposed off
2138	1525	2340 (including backlog)	1545	1323	1366 (including backlog)

(c) and (d) O/o CCPD informed that they receive complaint against Delhi Development Authority (DDA) regarding non-formulation of schemes for preferential allotment of land at concessional rates to persons with disabilities under Section 43 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 which are taken up/being taken up with DDA. There is no complaint against Land and Development Officer (L&DO).

In June 2003, CCPD directed DDA in Case No. 194 of 1999 filed by Shri Bhal Chand, General Secretary of Indian Organization of the Blind to frame scheme in favour of persons with disabilities for preferential allotment of houses/land at concessional rate.

DDA, in April 2004, informed O/o CCPD that they have framed policy for preferential allotment of houses/land to persons with disabilities.

The above policy was revised by M/o Urban Development (Delhi Division) in October, 2006 in consultation with this Ministry in pursuance of the Order of Hon'ble

High Court of Delhi in CWP No. 8877/2005 (*Sarita Sinha Vs. DDA*). As per this policy, 1% reservation in allotment of flats/plots and 5% reservation in allotment of shops for persons with disabilities with a rebate of 5% in the cost subject to the maximum of ₹ 1 Lakh is applicable. Societies of person with disabilities are also considered for allotment of institutional land at concessional rates.

Implementation of Acts related to social justice

3299. SHRI PARIMAL NATHWANI: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether Government has any mechanism for monitoring the implementation of recent Acts related to social justice;
- (b) if so, the details thereof;
- (c) whether there is any requirement of infrastructure and officers for implementation of these Acts and if so, the details thereof;
- (d) whether Government has provided adequate funds to the States for the said purpose; and
- (e) if so, the details thereof, State-wise including Jharkhand and Gujarat?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI VIJAY SAMPLA): (a) to (c) The Ministry of Social Justice and Empowerment is implementing the following Acts related to Social Justice:—

- (i) Protection of Civil Rights Act, 1955 [Formerly known as Untouchability (Offences) Act, 1955] (as amended in 1977);
- (ii) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (PoA Act); and
- (iii) Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (MS Act, 2013).

The details of mechanism for their monitoring and the requirement of infrastructure and officers for implementation of these Acts are given in the Statement-I (*See below*).

(d) and (e) Under the Centrally Sponsored Scheme for implementation of the PCR and PoA Acts, the State-wise details of funds released are given in the Statement-II (*See below*). The scheme for rehabilitation of Manual Scavengers is being implemented through National Safai/ Karamchari Finance and Development Corporation for implementation of the MS Act.