

GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
DEPARTMENT OF EMPOWERMENT OF PERSONS WITH DISABILITIES
RAJYA SABHA

UNSTARRED QUESTION No. 610
TO BE ANSWERED ON 07.02.2024

COMPLIANCE MECHANISM FOR RPWD RULES

610. DR. AMEE YAJNIK:
SMT. RAJANI ASHOKRAO PATIL:

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether the Ministry is the nodal authority to ensure compliance with the accessibility guidelines notified under the Rights of Persons with Disabilities (RPwD) Rules, if so, details of compliance mechanism, if not, the reasons therefor;

(b) whether it is a fact that there is no provision for criminal liability under the RPwD Act; and

(c) the details of the number of people prosecuted under the RPwD Act since its introduction, year-wise?

ANSWER

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT

(SUSHRI PRATIMA BHOUMIK)

(a) As per Government of India (Allocation of Business) Rules, 1961 and amendments made thereto, The Department of Empowerment of Persons with Disabilities is the nodal Department for the overall policy, planning and coordination of programmes for Persons with Disabilities. However, overall management and monitoring etc. of the sectoral programmes in respect of Persons with Disabilities is the responsibility of the concerned Central Ministries, State Governments and Union territory Administrations.

In addition to this, Rule 15 (2) of the Rights of Persons with Disabilities Rules, 2017 mandates respective Ministries and Departments to ensure compliance of the standards of accessibility specified under the said Rule through concerned domain regulators or otherwise.

(b) There are following punishments prescribed for contravention of provisions of the RPwD Act:

(i) Section 89 provides for penalty in the form of fine ranging from Rs. ten thousand to 5 lakhs for violation of the provisions of the Act.

(ii) Section 92(1) provides for penalty in the form of imprisonment (not less than 6 months and upto 5 years) for intentionally insults with intent to humiliate a PwD in public place.

(iii) Section 93 provides for penalty in the form of fine which may extend upto Rs twenty five thousand in respect of each offence for non-submission of books/accounts/information sought in pursuance of the said Act.

(c) No such information is centrally maintained in the Ministry.
