Statement by Ms. Nidhi Khare, Director, Department of Disability Affairs, Ministry of Social Justice and Empowerment, during the general debate at the Fifth Conference of State Parties to the Convention on the Rights of Persons with Disabilities on September 13, 2012

Mr. Chairman,

Thank you for chairing these discussions of the fifth conference of states parties to the CRPD. I am confident that the discussions today and subsequent panel discussions will contribute to better understanding of the challenges before us.

Mr. Chairman,

The theme of this conference is particularly relevant, focusing on women and children, as challenges faced by them due to disability are often further compounded for them.

Our discussions here help refocus attention to this aspect that requires a coordinated response not only among different government departments but also among relevant stakeholders.

Mr. Chairman,

The Government of India had early on recognized the need for specific policy intervention to support disabled people. Our legislative framework is anchored in the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act passed in the year 1995, before the Convention was drafted.

The Act recognized that persons with disabilities are a valuable human resource and seeks to create an enabling environment that provides them with equal opportunities, protection of their rights and full participation in society, including in areas of education and employment. The nodal Ministry of Social Justice and Empowerment works with several ministries to coordinate and implement programs and schemes in the areas of health, education and employment.
Mr. Chairman,

This legislation was supplemented by the National Policy for Persons with Disabilities announced in 2006. This policy in fact specifically focuses on issues concerning women and children with disabilities.

Another Act - the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act was passed in 1999. This Act laid out provisions for legal guardianship of the four categories of the persons with disabilities and for the creation of an enabling environment for them. This Act is also undergoing revision in light of the provisions of the UNCRPD.

In 2010, the Ministry of Social Justice & Empowerment constituted a Committee to harmonise the existing legislation with the provisions of the CRPD. This Committee submitted its recommendations on a revised draft Bill to the Ministry in June 2011. This is presently undergoing consultations among all stakeholders, particularly the States, in whose domain “disability” figures under the Constitution of the country.

Mr. Chairman,

The Government has instituted a scheme of National Awards for empowerment of persons with disabilities as also to encourage others for creating a barrier free environment for the persons with disabilities. Special focus is paid on achievements of, and initiatives pertaining to women with disabilities, particularly those from the rural areas and self-employed women.

The National Plan of Action for Children, 2005 seeks to ensure the right to survival, care, protection and security for all the children with disabilities. The Right to Education Act, 2009 mandates for free and compulsory elementary education to all children with special needs up to the age of 18 years. The Copyright Act has also been suitably amended to facilitate access to students with disabilities.

Mr. Chairman,

The Government has established seven National Institutes (NIs) dealing with different types on disabilities and seven Composite Regional Centers (CRCs) to promote research and conduct training for delivery of services to disabled persons.

The Government also funds a large number of NGOs providing disability services, and has established a National Handicapped Finance and Development Corporation (NHFDC) which provides loans at concessional rates to persons with disabilities for self-employment.
Mr. Chairman,

With a view to further improve implementation of government policies, the Government decided, in principle, in January 2012 to convert the 'Disability Division' of the Ministry of Social Justice & Empowerment into a separate Department for more effective liaising with the concerned Ministries/Departments and fulfilment of its responsibilities towards the disabled.

Mr. Chairman,

The Constitution of India ensures equality, freedom, justice and dignity of all individuals and mandates an inclusive society for all, including the persons with disabilities. We remain committed to building an enabling environment so that all persons with disabilities, including women and children, are able to enjoy their rights and realise their full potential.

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