

Bangladesh Persons with Disability Welfare Act-2001

[Functional English Version]

Note: Legislative Language has its own words, idioms, expressions and style too. Bangladesh Protibandhi Kallyan Ain--Bangladesh Persons with Disability Welfare Act- has been, as required under law, drafted in Vernacular Bangla Language. The official English Language version of the law is yet to be prepared and published.

Thr translated Functional English Version of the “Disability Welfare Act-2001”

[Bill for consideration in JS (Parliament)]

Bill introduced to protect and safeguard the rights and dignity of the Persons with Disability, ensure their participation in the national and social programmes and their general welfare; and for matters connected therewith or incidental thereto :

Whereas it is expedient and necessary to enact laws to protect and safeguard the rights and dignity of the persons with disability, ensure their participation in the national and social programmes and their general welfare; and for that matters connected therewith or incidental thereto;

Now, therefore, the Act is made as follows; -

1. Short title and commencement :

- (I) The Act may be called Bangladesh Persons with Disability Welfare Act-2001.
- (II) It shall come into force on such date as the government determines by a Gazette notification.

2. Definitions:

In this Act, unless there is anything repugnant in the subject or context,-

- (a) “District Committee” means the District Committee for Welfare of the Persons with Disability so constituted under section 12 of this Act;
- (b) “Schedule” means the schedule incorporated to this Act;
- (c) “Executive Committee” means the Persons with Disability Welfare Executive Committee so constituted under Section 8 of this Act;
- (d) “Disability” means a person so defined in Section 3 of this Act;
- (e) “Rules” means rules made under this Act;
- (f) “Coordination Committee” means the National Coordination Committee for Welfare of Persons with Disability so constituted under Section 4 of this Act.

3. Definition and identification of Disability :

- (I) “Disability” means any person who,
 - (a) is physically crippled either congenitally or as result of disease or being a victim of accident, or due to improper or maltreatment or for any other reasons became physically incapacitated or mentally imbalanced, and
 - (b) as a result of such crippledness or mental impairedness,-

- (i) has become incapacitated, either partially or fully; and
 - (ii) is unable to lead a normal life.
- (II) Any person having disability described hereunder shall be included in the meaning and scope of the definition under subsection (I) of this section.
- (a) "Visual impaired" means any person who has,-
 - (i) No vision in any single eye, or
 - (ii) in both the eyes, or
 - (iii) visual acuity not exceeding 6/60 or 20/200 (Snellen) in the better eye even with correcting lenses; or
 - (iv) limitation of the 'field of vision' subtending an angle of 20° (degree) or worse;
 - (b) Physically handicapped refers to person who has, -
 - (i) lost either one or both the hands, or
 - (ii) lost sensation, partly or wholly, of either hand, or it is so weaker in normal condition that the situations stated under subsection I (a) and (b) are applicable to his case; or
 - (iii) lost either one or both the feet, or
 - (iv) lost sensation, partly or wholly, of either or both the feet, or it is so weaker in normal condition that the situations stated under subsection I (a) and (b) are applicable to his case; or
 - (v) has physical deformity and abnormality, or
 - (vi) has permanently lost physical equilibrium owing to neuro- disequilibrium; or
 - (c) has "hearing impairment" meaning one's loss of hearing capacity in better ear in the conversation range of frequencies at 40 decibels (hearing unit) or more, or damaged or ineffective otherwise; or
 - (d) has "speech impairment" meaning loss of one's capacity to utter/ pronounce meaningful vocabulary sounds, or damaged, partly or wholly, or dysfunctional; or
 - (e) has "mental disability" meaning,-
 - (i) one whose mental development is not at par with his chronological age or whose IQ (Intelligent Quotient) is far below the normal range, or
 - (ii) has lost mental balance or is damaged, partly or wholly; or
 - (f) has multiple disabilities, that is one who suffers from more than one type of above stated impairments; or
 - (g) any other type of impairment to be defined and declared by the Coordination Committee.

- 4. Constitution of National Coordination Committee and re-ignation of its members :-**
- (I) In order to implement the objectives set in this Act a committee called, 'National Coordination Committee for Welfare of the Persons with Disabilities' should be constituted (hence the Committee so constituted) with the followings :-
- (a) The Minister-In-Charge, Ministry (or Division) of Social Welfare shall (by virtue of his post) be the President of this Committee; ex-officio;

- (b) The Secretary of the Ministry (or Division) of Social Welfare shall, by virtue of his post ; be the Vice- President of the Committee; ex-officio;

Other members :

- (c) The Secretary, Ministry (or Division) of Health, ex-officio;
- (d) The Secretary, Ministry of Home Affairs, ex-officio;
- (e) A Doctor, with the rank of a Professor, working at the Banga Bandhu Sheikh Mujibur Rahman Medical University Hospital, to be nominated by the Vice-Chancellor of the said University;
- (f) President, Bangladesh Medical Association;
- (g) Five representatives, to be nominated by the Government; of the Non-Government Organizations working for the welfare of the persons with disability;
- (h) Director, Bangladesh Mentally Disabled Hospital; ex-officio,
- (i) The Director General, Department of Social Services, ex-officio;
- (j) Executive Secretary, Bangladesh National Social Welfare Council; ex-officio,
- (k) Director, National Institute of Ophthalmology; ex-officio,
- (l) Managing Director, National Foundation for the Persons with Disability or an officer, not below the rank of a Joint Secretary to the Government; to be so nominated by the Government; who shall also act as the Ex-officio Secretary to this Committee.

(II) Termination/Resignation of member :

[In case of members under sub-section I (g)]

- (a) The Government can relieve or terminate membership of any person by cancellation of nomination under sub-section I (g) of this Act;
- (b) Any member may tender registration in writings under his own signature addressed to the President of the Committee,

(III) The Government, if it deems so required, can nominated any person as member of the Coordination Committee.

5. Disqualification of membership :

Any person shall be deemed to be disqualified as to be nominated as member, or retain his membership so nominated; under Section 4 (I) (g) of this Act, if he,-

- (a) is not a citizen of Bangladesh, or has rescinded his citizenship or has lost it, or
- (b) is of unsound mind and stands so declared by a competent court, or
- (c) is adjusted bankrupt/ insolvent by a competent court constituted under any law now in effect or has not paid up his court adjusted debts, or
- (d) is or has been convicted of an offence which involves moral turpitudes and sentenced for a period of more than two years jail term by a Criminal Court; or
- (e) is or has been convicted for committing of an offence under this Act or any of its provision.

6. Responsibilities and functions of the National Coordination Committee :

The responsibilities and functions of the Co-ordination Committee shall be as under:-

- (a) To review the existing policies of the Government to protect and safeguard the rights and dignity of the persons with disabilities, to ensure full participation of the disabled community in accordance to their capacity/ability in the national and social programmes, and to recommend corrective measures; or if needed be, put suggestion(s) for formulation of a newer policy to this effect, in consideration of the prevailing realistic situations related to the issues;
 - (b) to advise the Government to undertake various projects and programmes for implementing the policies on disability issues;
 - (c) to review and coordinate the activities of the Executive Committee, the District Committees and other concerned Government and Non-Government agencies, engaged in the acts of welfare for the disabled community under the purview of this Act or other laws so applicable, and to pass on necessary directives, if deemed expedient, to that effect;
 - (d) to advise the Government on matters to protect the rights of the disabled Community/ population and motivate other agencies/organizations to that effect;
 - (e) to arrange Skill Development Training for persons working in disability sector programmes to raise their work efficiency;
 - (f) to establish a Disability Information Centre and to provide information to various mass media and arrange dissemination/media-coverage of those information for the welfare of the persons with disability.
 - (g) to advise the Government to initiate proper steps to up-grade National policies and up-date concerned laws related to disability issues to keep pace in line with the development on the agenda that are taking place in the International arena and suggest for their implementation;
 - (h) to recommend to the Government for reviewing of the existing laws and effect amendment, if so needed, from time to time, the laws in force;
 - (i) to collect statistical data related to disability issues and arrange preservation of those data;
 - (j) to undertake appropriately related steps/actions to implement the activities stated in this sub-section.
- (II) In line with the generality of purview of the provisions detailed in this subsection (I), the activities outlined in the schedule of this Act, shall be deemed to come under the functional jurisdiction of the Coordination Committee, and the said Coordination Committee shall have the legal authority to advise, request, suggest any Ministry or Division or Department of the Government or Statutory Authority or Non-government Organisation for such actions deemed necessary to implement the aforesaid actions programme and may give policy guidelines or order or directives, if it is so expedient.

7. Meeting of the Coordination Committee:

- I. Subject to the provisions laid in this section of this Act, the Coordination Committee shall have the authority to determine the mode of conducting business--modus operandi-- of its meetings.
- II. The Coordination Committee shall at least meet once in a Calendar Year.
- III. The meeting of the Coordination Committee shall be held at a place and time fixed by its President.
- IV. The President of the Coordination Committee shall preside at every meeting of the Committee and in his absence, the Vice-President shall preside, but when both the President and the Vice-President are absent from any meeting, a member so authorised by the President shall preside, and in the event of absence of any such directive or authorisation from the President, a member from amongst the members present in the meeting is to be elected by the members present who shall preside at that meeting.
- V. The quorum for any meeting of the Coordination Committee shall require the presence of a minimum of five members of its total number of members.
- VI. Generally, all matters considered at the meeting of the Coordination Committee shall be disposed of, decided by and decision arrived at unanimously; but in the event of a division of opinion on any matter that should be decided by the major of votes of the members present in the meeting and in the process of such voting each member shall have a single vote, however, in the event of equity of votes, the member presiding at the meeting shall have a second or casting vote.
- VII. In order to facilitate its proceedings in deciding or arriving at a decision on any agenda of its meeting, the Coordination Committee shall have the authority to invite a specialist on the subject or a well informed person for giving experts opinion or for presentation of facts, but the person so invited shall have no right to vote.
- VIII. No act, decision or proceeding of the Coordination Committee shall be deemed to be invalid by reason only of the existence of any vacancy in the Coordination Committee or any defect in the Constitution of the said Committee or appointment of any of its members and no legal action can be initiated in any Court of Law nor that can be challenged to any other higher authority.

8. Constitution of the Executive Committee, Disqualification of its members, and matters incidental thereto:-

In order to fulfil the objectives set in this Act, a committee, called, The Persons with Disability Welfare Executive Committee; shall be constituted (and hence constituted) consisting of the persons named hereunder:

- (a) The Secretary, Ministry or Division of Social Welfare, ex-officio; who shall also be the President of this Committee.
- (b) Six (6) Government officials, not below the rank of Joint Secretary; who shall be nominated by their respective Ministry/Divison viz. Primary and Mass Education Division, Finance Division, Roads and Railways Division, Ministry of Housing and Public Works, Ministry of Health and Family Welfare and Ministry of Social Welfare, ex-officio; shall be its members.
- (c) Three(3) representatives from amongst the NGOs working for the welfare of the persons with disability shall be nominated by the Government as members;
- (d) The Director-General, Department of Social Services, ex-officio; shall be a member;
- (e) The Member-Secretary of the Coordination Committee shall also act as the Secretary to the Executive Committee; ex-officio.

- II. Under sub-section I(c) of this section;
- (a) No person shall qualify to be nominated or retain such post, if so nominated; if the situations detailed in Section 5 of this Act are applicable to him;
 - (b) The Government shall have the right to cancel nomination of any such member and declare the post vacant;
 - (c) Any such nominated members may tender resignation in writing under his/her own signature addressed to the President of the Committee.

9. Responsibilities and functions of the Executive Committee:

The responsibilities and functions of the Executive Committee shall be as follows:-

- (a) To implement the decisions adopted by the Coordination Committee properly;
- (b) To place appropriate recommendations to the Coordination Committee for implementing actions in line with the provisions of this Act and the National Policy on disability issues;
- (c) To prepare necessary project proposals to ensure education, training, rehabilitation and other general welfare of the Persons with Disability and place them to the Coordination Committee for approval thereto;
- (d) To monitor the activities of the District Committees and supervise and give necessary directives to the them, subject to approval from the Coordination Committee;
- (e) To take all associated actions to execute the programmes detailed in this sub-section.

10. Office of the Executive Committee:

- I. To facilitate the proper functioning and discharging of the responsibilities of the Executive Committee;
 - (a) The Government may set up an office for it, or
 - (b) The Government may nominate or appoint any institution or organisation as the Office of the Executive Committee.

Note: Because of such appointment under this subsection (b), the organization so selected, or any of its members or officers or employees or any other person so authorised by the organisation, shall have no claim to the status of being a government organisation or employee respectively.

- II. Consequent upon such appointment as the Office of the Executive Committee under this Sub-section I(b), the Institution or Organisation, so appointed, or any of its members, officers or employees or any other person so authorised by the institution/organisation concerned, shall be qualified to discharge such functions as directed by the Executive Committee.

11. Meeting of the Executive Committee:

- I. Subject to the provisions laid in this section of this Act, the Executive Committee shall have the authority to determine the mode of conducting/transacting its meetings.
- II. The Executive Committee shall meet at least once in every three months.
- III. The meeting of the Executive Committee shall be held at a place and time so fixed by its President.
- IV. The President of the Executive Committee shall preside at every meeting of the Committee and in his absence, any other member so authorised/directed by the President (of EC) shall preside, but in the absence of any such directive or authorisation from the President a member from amongst the members present

in the meeting shall be elected by the members present in the meeting to preside at the meeting.

- V. The quorum for any meeting of the Executive Committee shall require the presence of at least 1/3 members of the total members.
- VI. Generally, all matters considered at the meeting of the Executive Committee shall be decided unanimously; but in the event of a division of opinion that should be decided by the majority of votes of the members present in the meeting and in the process of such voting each member shall have a single vote, and however, in the event of equity of votes, the member presiding at the meeting shall have a second or casting vote.
- VII. No act, decision or proceeding of the Executive Committee shall be deemed to be invalid by reason only of the existence of any vacancy in the Executive Committee or only on grounds of defect in the constitution of the Committee and no legal action can be initiated in any Court of Law nor that can be challenged to any other higher authority.

12. Constitution of the District Committee, disqualification of its members and matters incidental thereto:-

- I. In order to fulfil the objectives set in this Act, a committee called, District Committee for Welfare of Persons with Disability, nomenclatured at the name of the district concerned, shall be constituted.
- II. The following persons shall be the members of the District Committee,-
 - (a) The Deputy Commissioner shall be the ex-officio President of the District Committee.
 - (b) The Civil Surgeon, ex-officio;
 - (c) Two(2) representatives from the organisations working for the welfare of the Persons with Disability shall be nominated as members by the Deputy Commissioner;
 - (d) The District Education Officer, ex-officio;
 - (e) The Executive Engineer, Public Works Department of the District, ex-officio;
 - (f) District Public Relations Officer, ex-officio;
 - (g) President, District Bus-owners Association;
 - (h) The Deputy Director, District Social Services Office, shall act as the ex-officio Member-Secretary to the Committee.
- III. Under sub-section II(c) of this section :
 - (a) No person shall qualify to be nominated or retain his post, so nominated; if such situation as detailed in Section 5 of this Act, are applicable to him/her;
 - (b) The Deputy Commission shall have the authority to terminate membership of any person by cancelling the nomination;
 - (c) Any nominated member may tender his designation through a written letter, duly signed by him, addressed to the Committee President.

13. Responsibilities and functions of the District Committee.

The responsibilities and functions of the District Committee shall be as follows:

- (a) To implement the projects and programmes and execute and carry out the policy-decisions, directives and orders of the National Coordination Committee, Executive Committee or of the Government at the district level;
- (b) Registration and issuance of Identify Cards to the persons with disabilities of the district;

- (c) To submit report, at least once in a year; on the activities undertaken for the welfare of the persons with disabilities of the district to the Executive Committee;
- (d) To carry out any other special duties delegated/assigned to it by the Executive Committee;
- (e) Any other duties assigned under these regulations;
- (f) To perform such other duties/activities so required for fulfilling the responsibilities vested under this Act.

14. Meeting of the District Committee:

- I. Subject to the provisions laid in this section of this Act, the District Committee shall have the authority to determine the mode of conducting business of its meetings.
- II. The District Committee shall meet at least once in every two-month.
- III. The President of the District Committee shall preside at every meeting of the Committee and in the event of his absence a member, so authorised by the Committee President, shall preside at the meeting.
- IV. The quorum for any meeting of the District Committee shall require the presence of a minimum of 1/3 members of the total members of the Committee.

15. Registration and issuance of Identity Cards to the Persons with disability:

- I. The District Committee shall arrange registration of all the persons with disability residing within the territorial jurisdiction of the respective district and shall maintain a Book of Register for this purpose.
- II. Any person registered as a Person with Disability under subsection (I) of this section, he/she should be provided with an Identity Card to that effect under the signature of the Member-Secretary of the District Committee.

16. Sub-Committee:

The Coordination Committee, the Executive Committee or the District Committee shall have the authority, if it is deemed expedient; to constitute Sub-Committee(s) comprising of one or more than one member or any other person, to assist the respective committee in discharging their functions and it (the committee concerned) shall also have the authority to determine the number of members of such sub-committee, its responsibilities and functions and the terms of reference (TOR) of its operation.

17. Responsibilities of the Government, Non-Government Organisations and the Local Authority:

It would be the responsibilities of the Government, Non-Government Organisations and the Local Authorities to extend all out cooperation to implement the projects and programmes taken up by the National Coordination Committee at the field level operation and also to execute the decisions and directives of the said Committee.

18. Delegation of Power :

The Coordination Committee, the Executive Committee or the District Committee may delegate its power(except provision of this section) to any of its constituent member or such other person to the extent and manner as it is deemed appropriate by the Committee concerned to facilitate efficient discharging of the responsibilities and functions of the respective Committee.

19. Offences, Trial and Punishment :

- (I) In order to execute the provisions of this Act, the Government, by notification, may define committing of certain acts as offences and the contravenes shall be guilty of an offence, prosecuted and punished for imprisonment of a minimum of three (3) months, or a fine of Taka 5,000 (Five thousand) or both.
- (II) The trial of such offences shall take place under established procedures of the Court of Law.

20. Offences committed by Company :

In case of any offence under this Act is committed by a company or bodies of persons then every director, or manager, or secretary or any officer or agent assigned thereto shall each be deemed to be guilty of that offence.

Provided that, no such person shall be deemed to be guilty of an offence under this Act, if he proves that the offence was committed without his knowledge or that he exercised all diligence to prevent the commission of the offence.

Note : In this section,-

- (a) "Company" means a Statutory Government Authority, Commercial Establishment (Association or organizations inclusive) ;
- (b) In case of "Commercial Establishment" "Director" means every partner of the firm or every members of the Board of Directors.

22. Freeing from personal liabilities/ Protection against being sued :

No suit or prosecution shall lie in any civil or criminal courts against the Government, or any member of the Coordination Committee, or the Executive Committee or the District Committee or any officer, employee or any other person, so authorised or assigned, for his actions in discharging the assigned duties so done in good faith under this Act or at the order of the competent authority to that effect even if such act has either caused; or has reasons to be caused that happen, damages to any one in the process.

22. Power to formulate regulation :

The Government shall have the power to formulate such regulations, by Government notification; required to fulfil the objectives set in this Act.

23. Removal of inconsistencies :

Should there be any inconsistency, of any type or manner; in this Act; the Government shall have the authority to pass on such orders or directives for removal of the extent of inconsistencies or to enforce that provision of this Act by lawful order.

Schedule

[Section 2(b) and 6(II) are in reference]

Part – A
Prevention of Disabilities :

1. To launch media campaign through the mass media channels in order to create awareness amongst the masses about the causative factors of disabilities and measures to avert occurrence of disabilities.
2. To motivate and organise the social workers and the voluntary organisations to participate in the disabilities preventive programmes.
3. To extent cooperation in implementing the concerned immunization programmes for preventing disabilities.
4. To disseminate information on measures to avert accidents causing disabilities.
5. To disseminate information about pre-natal, perinatal and during-delivery and post-delivery care of the mother and the child, and in a view to preventing disabilities the expecting mother(s) be provided with the required assistive devices.
6. To collect data, conduct survey and research on factors causing disabilities and treatment thereof.
7. To undertake programmes supportive to prevention of sound pollution.
8. To undertake supportive programmes for stopping plying of defective vehicles on roads.

Part – B
Identification of Disability :

1. To arrange proper identification of persons with disability during the Population Census and preparing a separate list for them.
2. To arrange identification of such children who are at-risk to be the victims of disability.

Part – C
Curative Treatment of Disability :

1. To supply supportive logistics/materials for curative treatment (or considered cure - friendly) to the persons with disabilities from the Hospitals, Health Complexes and Rehabilitative Centres either cost-free or at low-cost.
2. Introducing Counseling Services for physical and mental development, education and employment of the children with disabilities.
3. To extent supports/assurances for production and distribution of articles used in the All Day Livings of the PWDs and education materials used by them.
4. Undertake measures to allow remission of import duties on equipments and accessories to be used by the persons with disabilities.

Part – D

Education of the PWDs :

1. To encourage establishment of Specialised Education Institutions to cater to the special needs of the special categories of children with disabilities, to design and develop specialised curriculum and write special text books and to introduce Special Examination System, if situations so demand.
2. Create opportunities for free education to all children with disabilities below 18 years of age and provide them books and equipments free of cost or at low-cost.
3. Endeavour to create opportunities for integration of students with disabilities in the usual class-set-up of regular normal schools wherever possible.
4. Undertake programmes for imparting vocational training for the disabled.
5. Arrange trainings for the teachers and other employees working with the disabled.
6. To incorporate/include appropriate articles and other related subjects in the introductory social science subjects aiming to create public awareness about the lifestyle and associated problems faced by the persons with disabilities.
7. To arrange easy transport facilities for up-down journey to school for the students with disabilities.

Part – E

Health Care Services for the Persons with Disability :

1. To introduce Health Care Services for the persons with disability at Government and Non-Government initiatives.
2. To ensure adequate supply of medical utilities for treatment of the PWDs and arrange training of physicians/medicos attending the PWDs.
3. To supply nutrients for the persons with disabilities
4. To include subjects/topics related to treatment of PWDs while arranging the said training for the medicos.

Part – F

Rehabilitation and Employment of the Persons with Disability :

1. To undertake appropriate Schemes including Credit-Support programmes for rehabilitation of the persons with disabilities.
2. Establishment and maintenance of Rehabilitation Centres both at Government and Non-Government level.

3. Design and develop Training Manual for Vocational Training of the PWDs and undertake and carry-out such Training Programmes according to the Manual so developed.
4. Identification of appropriate job/employment areas for the PWDs and arrange employment opportunities thereto.
5. To ensure equity of opportunities for employment while recruiting employees in the Government Departments, Statutory Bodies and Local Authorities for suitably qualified persons with disabilities.
6. Subject to formulation of Government Policy, actions be taken to relax the prescribed minimum age limit for recruitment of PWDs in the Government Departments, Statutory Bodies and Local Authorities.
7. To ensure reserve quota in the recruitment of posts to the Government Departments, Statutory Bodies and Local Authorities.
8. To disseminate information on job-opportunities for the PWDs.

Part – G

Transport Facilities :

1. To set up appropriate facilities at all buildings and establishments and transports belonging to the Government, Statutory Bodies and private organizations to facilitate easy movements and communications for the PWDs.
2. To take measures to adopt toilets at rail compartments, water-vessels, bus- terminals and waiting rooms so that the persons with disabilities can also use it alike others.
3. To install auditory signals at all main road-crossings in the cities.
4. To devise out suitable signs and symbols to facilitate safe and hazard-free movements of persons with disabilities.
5. To facilitate easy access to and movement of the wheel chair users making appropriate curb cuts and slopes and ramps are to be made at public buildings and toilets are also to be adapted for them.
6. The persons with disabilities carrying duly issued Identity Card are to be allowed to travel by train, buses, water-vassels, Airways along with an escort at concessional fare and also to make arrangement for carrying portable laugages alongside.

Part – H

Culture :

1. To take measures to disseminate information through the national mass-media channels on life and livings, employments, education and recreational activities of the persons with disabilities.

2. To take actions to disseminate information through the media on preventive measures that help averting the risk-factors, physical and psychological; for the PWDs and members of their families.
3. To broadcast programmes on National TV Channel in Sign Languages understandable to the speech and hearing impaired persons.
4. To include disability issues in the general education curriculum.
5. To introduce games and sports for the persons with disabilities and arrange their participation thereto.
6. To encourage the concerned institutions to prepare and publish books in Braille and audio cassettes for the visually impaired persons.
7. To make provisions for representation of the persons with disability in the National Sports and Cultural Bodies, wherever applicable.
8. To send delegation of the PWDs at National and International level cultural and sports events and provide financial supports to that end.

Part - I

Social Security :

1. To encourage the Insurance Companies to launch Insurance Schemes for the persons with disability.
2. To provide allowances for the old, unemployed and vulnerable ones with disability.
3. To ensure early actions by the law enforcing agencies to safeguard the persons with disability from being victimised, tortured and defrauded or cheated.

Part – J

Organisations of the Persons with Disability :

1. To arrange Leadership Development Training for the persons with disability at National, Division, District and Upa-Zilla level.
2. Create opportunities for formation of Self-reliant Organizations of the Persons with Disability.
3. To organise seminars, workshops and such other similar activities for experience sharing and exchanging ideas for the representatives of the Self-help Organisations of the Persons with Disability .

Statement on the rationale and grounds for introducing the Bill:

In our country we have many disabled persons—either physically or mentally or with speech and hearing impairment. There has however, been no census made to assess the actual number of such disabled population. According to WHO's (of UN) Expert Committee statistics/data some 10 percent of the populations are victims of disability in the developed and developing countries. Thus, basing on that opinion, it is assumed that there are at least One crore Twenty lakh (12 million) people in the country who are victims of disability. The Government hopes that the actual number of persons with disability in the country shall be known when the data of Census--2001 is finalised.

Laws aiming to ensure equal opportunities, provide various benefits and privileges to the persons with disabilities, and to ensure their general wellbeing have been enacted in India in 1995, in Pakistan in 1981, and in Sri Lanka in 1996. Similar laws have also been enacted in many other developed and developing countries.

The present Government is committed to the welfare of the disabled community or any other disadvantaged section of the people. Thus, the Government is proposing to pass this law called, Bangladesh Persons with Disability Welfare Act-2001 to ensure equality of opportunities and provide other benefits and privileges to the persons with disability.

2. The main grounds and rationale for introducing the Bill are: Registration and issuance of Identity Cards to the persons with disabilities; undertake measures for prevention of disability; supplying disability curative utilities from the Hospitals and Health Complexes free of cost or at lower cost, identification of the persons with disabilities in the National Census and preparing and maintaining a sperable list thereto; opportunities for free education upto 18 years of age, providing education materials cost free or at low cost; undertaking Vocational Training Programmes; introducing health care services; supplying medical equipment at the Hospitals offering treatment to the PWDs; supplying nutrients; undertaking credit-support programmes for rehabilitation; establishing rehabilitation centres; reservation of appropriate quota in recruitment in the services of the Government, Statutory Bodies and Local Authorities; relaxation of minimum age limit for recruitment in services; making hasselfree movements for the PWDs at Public transports, buildings and other establishments and install audio signals at major road crossings; buildings ramps and stairs and construct curbs and slopes to facilities movements of the wheel-chair users; allowing concessional fare rate in Trains, Buses, Airways, and other public transports to an escort accompanying with the Registered PWDs with IDs; disseminating information on the life and livings, education and recreation activities of the PWDs on the national media channels; broadcast sign-media programmes understandable by the speech and hearing impaired on TV Channels, writing and publish text-book in Braillee for the visually impaired, creating provisions for participation in sports and cultural programmes; introducing Insurance Schemes for the PWDs; making provisions for allowances for the old, unemployed and vulnerable PWDs; providing assistances for establishing business, firms and industries by the PWDs and effecting common wel-being of the persons with disabilities.
3. The proposed Bangladesh Persons with Disability Welfare Bill - 2001 when legislated into an Act of the Parliament shall benefit the disabled community by ensuring them equality of opportunities and offering other facilities and privileges.

[Dr. Mozammel Hossain]
Minister of State-in-Charge

Bangladesh Jatiya Sangsad
[Bangladesh National Parliament]

Bill introduced to protect and safeguard the rights and dignity of the Persons with Disability, ensure their participation in the national and social programmes and their general welfare; and for that matters connected therewith or incidental thereto; inclusive of the schedule attached.

The Honorable President has been pleased to recommend this Bill to be placed before the Parliament under Article 82 of the Constitution of the Peoples Republic of Bangladesh.

(Kazi Rakibuddin Ahmed)
Secretary