

A

Bill

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

WHEREAS it is expedient further to amend the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (XL of 1981) for the purposes hereinafter appearing;

It is hereby enacted as under:

1. Short title, extent and commencement.— (1) This Act may be called the Disabled Persons (Employment and Rehabilitation) (Amendment) Act, 2019.

(2) It extends to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Insertion of new section 10A, Ordinance XL of 1981.— In the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (XL of 1981), hereinafter referred to as the said Ordinance, after section 10, the following new section 10A, shall be added, namely:—

"10A. Effective Access to the disabled persons.— (1) Notwithstanding anything contained in this Ordinance or any other law for the time being in force, the Government shall approve construction plans for new public and privately owned buildings to be used for public offices, which ensure provision of effective access of wheelchair and other assisted mode used by the disabled persons.

(2) The Government organizations shall bring necessary changes in the existing public and privately owned buildings housing public offices for effective access to disabled persons."

3. Amendment of section 20, Ordinance XL of 1981.— In the said Ordinance, the existing provision of section 20 shall be re-numbered as sub-section (1) thereof, and thereafter the following new sub-section (2), shall be inserted, namely:—

"(2) Notwithstanding anything contained in this Ordinance or any other law for the time being in force, a person found guilty of misusing any provision of the Ordinance or any law, rule or regulation to fraudulently offer employment or extend right thereunder to a person who does not fall within the meanings of disabled person, both of them shall be punished with rigorous imprisonment for a term which may extend to two years but not less than three months."

STATEMENT OF OBJECTS AND REASONS

The Government of Pakistan promulgated Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (Ordinance XL of 1981) with an objective to economically and socially empower the persons with disabilities by providing job quota in the public organization. It has been observed that due to ineffective enforcement the authorities were not enforcing the law effectively. In addition due to lack of appropriate physical access to the work place, the employed persons are not able to discharge their duties effectively.

It is also needed that in order to make the disable persons effective and inclusive part of the society, the private sector should also provide employment to such persons.

Furthermore, it is a growing practice that the legal provision have been misused and people who are not qualified to be called as persons with disabilities are getting benefit of law prescribed for such persons.

This Bill is designed to achieve the purpose to expand the scope of the law to make physical access easy for the disabled persons, encourage private sector for job provision, and to make the misuse of law punishable.

Sd/-

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