

GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
DEPARTMENT OF EMPOWRERMENT OF PERSONS WITH DISABILTIES

LOK SABHA

STARRED QUESTION NO. *277
TO BE ANSWERED ON 22.03.2022

RIGHTS OF DIFFERENTLY ABLED PERSONS

*277. SHRI N.K. PREMACHANDRAN:

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

- (a) whether the Government proposes to ensure the rights of differently abled persons in the country and if so, the details thereof;
- (b) whether the Government proposes to provide the service of specially trained teachers for teaching the differently abled children in the country, if so, the details thereof;
- (c) whether the State Governments are legally bound to follow the qualification fixed by the Rehabilitation Council of India (RCI) as qualification for giving training to differently abled children in the country and if so, the details thereof;
- (d) whether the Union Government proposes to give direction to State Governments to follow the guidelines, rules and regulations of RCI for fixing the qualification of teachers for teaching differently abled students, if so, the details thereof; and
- (e) whether the Government proposes to approve the qualification acquired from National Institutes of Speech & Hearing (NISH) as a qualification for recruitment of teachers, if so, the details thereof?

ANSWER

MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT

(DR. VIRENDRA KUMAR)

(a) to (e) A statement is laid on the Table of the House.

Statement referred to in reply to part (a) to (e) of the Lok Sabha Starred Question No. 277 raised by SHRI N.K. PREMACHANDRAN regarding “Rights of Differently Abled Persons” for answer on 22.03.2022.

(a) The Government enacted the Rights of Persons with Disabilities Act, 2016, which came into force on 19.04.2017. The said Act provides various rights and entitlements to persons with disabilities (PwDs) and mandates appropriate Governments to take measures to ensure that PwDs enjoy their rights equally with others. Under the Act the Chief Commissioner for PwDs and the State Commissioner for PwDs are mandated to monitor implementation of the provision of the said Act and also to look into the complaints regarding deprivation of the rights of PwDs. The Act has penal provision for punishment for violation of its provision which act as a deterrent to ensure implementation.

(b) Department of School Education & Literacy, Ministry of Education has requested all States/UTs to avail the services of special trained teachers as itinerant teachers as per the Samagra Shiksha, within the school block (cluster schools) until sufficient number of special teachers becomes available for general schools and special schools to optimize the resource persons.

(c) & (d) As per section 2 (n) of the Rehabilitation Council of India Act, 1992, special teachers for educating and training the PwDs are included as ‘Rehabilitation professionals’. Further as per section 13(2) of the Rehabilitation Council of India Act, 1992, no person, other than the rehabilitation professional who possesses a recognised rehabilitation qualification and is enrolled on the Register :-

- i. Shall hold office as rehabilitation professional or any such office (whatever designation called) in Government or in any institution maintained by a local or other authority.
- ii. Shall practice as rehabilitation professional anywhere in India;

The RCI has developed Model Recruitment Rules, 2021, which serve as a guide for the organizations for recruitment of special education teachers/special educators for the purpose of educating and training of PwDs.

(e) Presently, National Institute of Speech & Hearing (NISH) is not conducting any training programme approved by RCI in Special Education for recruitment of teachers.
