

# **The Rights and Protection of Persons with Disabilities Act, 2013**

(Act No. XXXIX of 2013)

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## **Schedule**

**The Rights and Protection of Persons with Disabilities Act, 2013**  
(Act No. XXXIX of 2013)

[09 October, 2013]

**An Act to repeal and re-enact the existing law relating to the persons with disabilities for the purpose of ensuring rights and protection thereof**

WHEREAS it has been pledged to establish all human rights, human dignity, fundamental human rights and social equality in the Constitution of the People's Republic of Bangladesh; and

WHEREAS Bangladesh has ratified the United Nations Convention on the Rights of Persons with Disabilities; and

WHEREAS it is expedient and necessary to repeal and re-enact the existing law relating to the persons with disabilities for the purpose of ensuring rights and protection thereof;

THEREFORE it is hereby enacted as follows:-

**1. Short title and commencement.-** (1) This Act may be called the Rights and Protection of Persons with Disabilities Act, 2013.

(2) Of this Act-

- (a) all sections except sections 31 and 36 and the Schedules thereto shall come into force at once; and
- (b) sections 31 and 36 shall come into force on such date as the Government may, by notification in the official Gazette, appoint.

**2. Definitions.-** In this Act, unless there is anything repugnant in the subject or context,-

- (1) "Upazila Committee" means the Upazila Committee on the rights and protection of persons with disabilities constituted under section 23;
- (2) "inclusive education" means the study of students with disabilities along with students with non-disabilities in educational institutions;
- (3) "committee" means the National Coordinating Committee or National Executive Committee or any District Committee or any

Upazila Committee or any Urban Committee, as the case may be, constituted under this Act;

- (4) "National Executive Committee" means the National Executive Committee on the rights and protection of persons with disabilities constituted under section 19;
- (5) "National Coordinating Committee" means the National Coordinating Committee on the rights and protection of persons with disabilities constituted under section 17;
- (6) "District Committee" means the District Committee on the rights and protection of persons with disabilities constituted under section 21;
- (7) "Schedule" means the Schedule to this Act;
- (8) "prescribed" means prescribed by rules;
- (9) "disability" means the long-term or permanent physical, mental, intellectual, developmental or sensation impairment or hardship of any person due to any cause and the mutual effect of attitudes and environmental barriers on that person, due to which that person is impeded in full and effective participation in the society on the basis of equality;
- (10) "persons with disabilities" means any person with any kind of disability as described in section 3;
- (11) "rights of persons with disabilities" means any one or more rights referred to in section 16 and any other rights, human rights or fundamental rights mentioned in any other law for the time being in force or in any document having the force of law relating to the rights of persons with disabilities;
- (12) "organization of persons with disabilities" means any organization formed and operated for protecting the welfare and interests of the persons with disabilities by the persons with disabilities themselves or by their parents or legal guardians on behalf of persons with disabilities who are unable to express their rights;

- (13) "accessibility" means the right of every person with disability to have equal access to, and get equal treatment in, all facilities and services available to the public, including physical infrastructure, transport, communication, information, and information and communication technology;
- (14) "reasonable accommodation" means necessary and appropriate modification and adjustment without imposing unsuitable or excessive burden, which ensures the enjoyment and exercise of the rights of persons with disabilities in certain cases on the basis of equality with others;
- (15) "Code of Criminal Procedure" means the Code of Criminal Procedure, 1898 (Act No. V of 1898);
- (16) "Bangla sign language" means the Bangla sign language, developed for hearing-impaired and speech-impaired persons, which is derived from their own culture and is as dynamic and changeable as any other language;
- (17) "access to justice" means the right of a person with a disability to participate equally in all legal proceedings, such as lodging a complaint, inquiry, adducing evidence, investigation and trial, with procedural and age-appropriate privileges;
- (18) "rule" means any rule made under this Act;
- (19) "special education" means the educational activities conducted by a residential or non-residential educational institution under special management consistent with the nature of disability, which is similar to mainstream education and where special care and attention along with remedial measures exist;
- (20) "discrimination" means unfair treatment of persons with disabilities compared to ordinary people and one or more of the following activities shall include such unfair treatment, namely: -
- (a) deprivation of the rights of persons with disabilities;
  - (b) partisan behaviour;

- (c) refusal to provide any facilities or benefits due to disability or providing less facilities; and
- (d) any other activities prescribed by the Government;
- (21) "braille" means the alphabet invented for the use of a visually impaired person;
- (22) "Urban Committee" means the urban committee on the rights and protection of persons with disabilities constituted under section 24;
- (23) "urban area" means the area under the jurisdiction of the office of Urban Community Development Programme (UCD) of the Department of Social Services situated in a City Corporation or municipality area, as the case may be;
- (24) "Secretary" includes the Senior Secretary;
- (25) "integrated education" means education system under special management in a mainstream school suitable for students with disabilities consistent with the nature of disability;
- (26) "community-based rehabilitation" means development efforts of the persons with disabilities within the community itself without keeping them in any isolated institution with a view to ensuring their participation in all activities of the society;
- (27) "protection" means, without restraining the general meaning, any activity mentioned in the Schedule;
- (28) "equal recognition before the law" means equal legal recognition of the persons with disabilities everywhere as persons and enjoyment of equal legal capacity in all spheres of their lives;
- (29) "self-help organization" means any organization formed and run for the protection of the welfare and interests of persons with disabilities or their families.

**3. Types of disability.**- For carrying out the purposes of this Act, considering the differences in physical, mental, intellectual, developmental, sensory impairment and adversity of persons with disabilities, the types of disability shall be as follows, namely:-

- (a) autism or autism spectrum disorders;
- (b) physical disability;
- (c) mental illness leading to disability;
- (d) visual disability;
- (e) speech disability;
- (f) intellectual disability;
- (g) hearing disability;
- (h) deaf-blindness;
- (i) cerebral palsy;
- (j) down syndrome;
- (k) multiple disability; and
- (l) other disability.

**4. Autism or autism spectrum disorders.-** The persons in whom the symptoms mentioned in clauses (a), (b) and (c), among the following symptoms, are clearly present and one or more symptoms mentioned in clauses (d), (e), (f), (g), (h), (i), (j) ) and (k) are observed shall be regarded as the persons with autism or autism spectrum disorders, such as:-

- (a) weakness in verbal and non-verbal communication;
- (b) difficulties in social and interpersonal behaviour, communication and imaginative work;
- (c) repetition of similar or certain types of acts or behaviours;
- (d) more or less sensitivity to hearing, sight, smell, taste, touch, pain, balance and movement than others;
- (e) intellectual disability or any other disability or convulsion;
- (f) extraordinary skill in one or more specific subjects and inequality of development in the same person;
- (g) keeping no or less eye contact;
- (h) excessive agitation or excitement, inconsistent laughter-crying;
- (i) unusual physical gestures;
- (j) extreme inclination to follow the same routine; and

- (k) any other characteristic as may be prescribed by the Government, from time to time, by gazette notification.

**[Explanation:** Autism is such a complex impediment to the normal development of the brain which noticeable from one year six months to three years after the birth of a child. People with such disabilities usually do not have any physical problems or defects and their physical look and appearance are like other healthy and normal people. In many cases, such people show special skills in many complex subjects, including drawing, singing, computer operation, or mathematical solutions.]

**5. Physical disability.-** A person possessing one or more of the characteristics mentioned in the following clauses shall be regarded as a 'person with physical disability', namely: -

- (a) not having one or both hands or legs; or
- (b) any hand or leg is fully or partially numb or the structure thereof is such defective or weak that causes partial or complete disruption of the day-to-day normal performance or ordinary movement of it or ability to use; or
- (c) permanent physical imbalance due to neurological disorder.

**6. Mental illness leading to disability.-** A person with schizophrenia or similar psychiatric problem, such as clinical depression, bipolar disorder, post-traumatic stress, anxiety or phobia, which disrupts a person's daily life, will be regarded as a 'person with a mental illness leading to disability'.

**7. Visual disability.-** A person with one or more of the characteristics mentioned in the following clauses shall be regarded as a 'person with visual disability', namely:-

- (a) complete blindness:
  - (i) not being able to see at all with both eyes; or
  - (ii) visual acuity is less than 6/60 or 20/200 even after using proper lens; or
  - (iii) visual field is 20 degrees or less than that;
- (b) partial blindness, namely: - not being able to see at all with one eye;



- (c) low vision:
  - (i) partial or low vision in both eyes; or
  - (ii) visual acuity is between 6/18 or 20/60 and 6/60 or 20/200 even after using proper lens; or
  - (iii) visual field is from 20 degrees to 40 degrees.

**8. Speech disability.-** A person with one or more of the characteristics mentioned in the following clauses shall be regarded as a 'person with speech disability', namely:-

- (a) not being able to speak at all;
- (b) limitation on arranging the necessary words in general conversation and on clear accent required for proper expression; or
- (c) problem in word formation and pronunciation due to defect with the vocal cord and voice tone or speech process, congenital defects, impairments or limitations; or
- (d) limitation on speaking without interruption, such as stuttering due to the problems, errors or impairments concerning the process of speech.

**9. Intellectual disability.-** A person with one or more of the characteristics mentioned in the following clauses shall be regarded as a 'person with intellectual disability', namely:-

- (a) significant limitations in age-appropriate activities; or
- (b) limitation in intellectual activity, such as causal analysis, learning or problem solving; or
- (c) limitation in day-to-day work skills, such as communication, self-care, social skills, self-management, health and safety, education, etc.; or
- (d) less than normal levels of intelligence quotient (IQ).

**10. Hearing disability.-** (1) A person unable to hear the sound intensity below 60 decibels shall be regarded as a 'person with hearing disability'.

(2) The types of hearing disability shall be as follows, namely: -

- (a) complete deafness: absolutely unable to hear in both ears; or
- (b) partial deafness: absolutely unable to hear with one ear; or
- (c) hard of hearing: partial or less hearing or sometimes not hearing in both ears.

**11. Deaf-blindness.-** (1) A person who has a partial or complete hearing and visual impairment simultaneously and encounters difficulties in communication, development and learning therefore, shall be regarded as a 'person with deaf-blindness'.

(2) The types of deaf-blindness shall be as follows, namely:-

- (a) moderate to severe hearing impairment and significant visual impairment;
- (b) moderate to severe hearing impairment, significant visual impairment and any other disability;
- (c) problems with the sensory processes of vision and hearing; and
- (d) gradual deterioration of vision and hearing.

**12. Cerebral palsy.-** (1) If a person, due to an injury at, or attack of disease in, the immature brain,-

- (a) has abnormalities in normal movement and posture which limit daily activities;
- (b) does not, in such cases, get the extent of brain damage reduced or increased subsequently; and
- (c) may have his normal working capacity enhanced being provided with appropriate healthcare,

then he shall be regarded as a 'person with cerebral palsy disability'.

(2) The characteristics of disability caused by cerebral palsy shall be as follows, namely:-

- (a) the muscles are too stiff or loose;
- (b) inconsistencies or limitations in the normal movement of the hands or legs;
- (c) imbalance or less balance in normal movement;
- (d) more or less impairment in sight, hearing, intelligence or in all cases;
- (e) behavioral limitations;
- (f) limitations of communication; or
- (g) infection of one hand or two hands or one leg or two legs or one hand and leg or both hands and legs.

**13. Down syndrome.-** A person who has a genetic problem, which is related to the presence of an extra chromosome in the 21<sup>st</sup> chromosome pair, and who has special characteristics like mild to severe intellectual disability, weak muscle, short and mongoloid stature, is regarded as a 'person with disability caused by down syndrome'.

**14. Multiple disability.-** A person found to have more than one types of disability mentioned in sections 4 to 12 will be regarded as a 'person with multiple disability'.

**15. Other disability.-** If any person possesses any other unusual physical and mental characteristic, other than the disabilities mentioned in sections 4 to 13, which obstructs his normal life, such person shall also be regarded as a 'person with multiple disability' subject to declaration by the National Coordinating Committee for the purposes of this Act.

**16. Rights of persons with disabilities.-** (1) Without prejudice to the generality of the provisions of any other law for the time being in force or any document having the force of law relating to the rights of persons with disabilities, every person with disabilities shall have the following rights in accordance with the type of disability, namely:-

- (a) right to survive and develop to the fullest;
- (b) equal recognition before the law and access to justice in all cases;
- (c) right of inheritance;

- (d) freedom of expression, opinion and access to information;
- (e) right to live with parents, lawful or legal guardians, children or families in a society, to establish marital relations and to form family;
- (f) accessibility;
- (g) full and effective participation in social, economic and state affairs, according to the type of disability;
- (h) participation in integrated or unified education at all levels of education, subject to access to appropriate facilities in educational institutions;
- (i) employment in public and private organizations;
- (j) right to remain in service of a person who is subject to victim of disability during the course of employment, otherwise, entitled to appropriate rehabilitation or compensation;
- (k) protection from oppression and to have a safe and healthy environment;
- (l) to receive the highest quality health care, subject to availability;
- (m) to have 'reasonable accommodation' in all relevant fields, including education and the workplace;
- (n) access to support services and rehabilitation facilities with a view to fully integrating in all spheres of social life by acquiring physical, mental and technical capacity;
- (o) provision of best possible safe accommodation and rehabilitation to a person with disability dependent on parents or family if he is separated from his parents or family, or does not have adequate accommodation and maintenance;
- (p) participation in culture, recreation, tourism, leisure and sports activities;

- (q) to adopt, as far as possible, the Bangla sign language as the first language, according to the will of the person with hearing and speech disability;
- (r) confidentiality of personal information;
- (s) formation and management of self-help organizations and welfare associations or societies;
- (t) to receive national identity card, to include in the voter list, to cast vote and to participate in elections; and
- (u) any other right as may be prescribed by the Government by notification in the Official Gazette.

(2) No person, institution, authority or body shall make discrimination or do discriminatory behaviour in any manner whatsoever against any person with disability in relation to the rights referred to in sub-section (1).

**17. National Coordinating Committee.-** For carrying out the purposes of this Act, there shall be constituted a committee to be called the 'National Coordinating Committee on the Rights and Protection of Persons with Disabilities' consisting of the following members, namely:-

- (a) Minister, Ministry of Social Welfare, who shall also be its Chairman;
- (b) two Members of Parliament nominated by the Speaker, one of whom shall be from the ruling party and the other from the main opposition party;
- (c) Secretary, Ministry of Social Welfare;
- (d) Secretary, Ministry of Public Administration;
- (e) Secretary, Ministry of Health and Family Welfare;
- (f) Secretary, Ministry of Home Affairs;
- (g) Secretary, Ministry of Primary and Mass Education;
- (h) Secretary, Ministry of Housing and Public Works;

- (i) Secretary, Ministry of Women and Children Affairs;
- (j) Secretary, Ministry of Youth and Sports;
- (k) Secretary, Ministry of Labour and Employment;
- (l) Secretary, Ministry of Education;
- (m) Secretary, Ministry of Information;
- (n) Secretary, Ministry of Information and Communication Technology;
- (o) Secretary, Ministry of Disaster Management and Relief;
- (p) Secretary, Finance Division;
- (q) Secretary, Legislative and Parliamentary Affairs Division;
- (r) Secretary, Local Government Division;
- (s) Director General, Department of Social Services;
- (t) 4 (four) female and 3 (three) male representatives nominated by the Government from non-governmental organizations, organizations of persons with disabilities or self-help organizations working for the protection of the rights of persons with disabilities;
- (u) Managing Director, the National Disability Development Foundation, who shall also be its Member-Secretary.

**18. Duties and functions of the National Coordinating Committee.-** The duties and functions of the National Coordinating Committee shall be as follows, namely:-

- (a) to coordinate all the activities of the Ministries or State Institutions or Constitutional Bodies or National Level Non-Governmental Organizations for the purpose of ensuring the rights and protection of persons with disabilities;
- (b) to formulate national policies and to develop the necessary laws or regulations in line with the measures taken for persons with disabilities in the international arena and to advise the Government to implement it with a view to ensuring the rights and protection of persons with disabilities;

- (c) to advise the Government for taking initiatives to establish specialized educational institutions suitable for persons with disabilities in every division, district and upazila area in phases and to create a conducive learning environment for all types of persons with disabilities in existing educational institutions;
- (d) to provide consultations or directions to any ministry or division or authority or state or constitutional body or statutory body or non-governmental organization or, organization of persons with disabilities or self-help organization or committees with a view to ensuring the protection of the persons with disabilities;
- (e) to make any recommendation to the Government to ensure the rights, dignity and welfare of persons with disabilities; and
- (f) to perform any other similar duties or functions.

**19. National Executive Committee.-** For carrying out the purposes of this Act, there shall be constituted a committee to be called the ‘National Executive Committee on the Rights and Protection of Persons with Disabilities’ consisting of the following members, namely:-

- (a) Secretary, Ministry of Social Welfare, who shall also be its Chairman;
- (b) Director General, Department of Social Services;
- (c) an officer not below the rank of Joint Secretary to be nominated by the Ministry of Housing and Public Works;
- (d) an officer not below the rank of Joint Secretary to be nominated by the Ministry of Health and Family Welfare;
- (e) an officer not below the rank of Joint Secretary to be nominated by the Ministry of Education;
- (f) an officer not below the rank of Joint Secretary to be nominated by the Ministry of Primary and Mass Education;

- (g) an officer not below the rank of Joint Secretary to be nominated by the Ministry of Information;
- (h) an officer not below the rank of Joint Secretary to be nominated by the Ministry of Youth and Sports;
- (i) an officer not below the rank of Joint Secretary to be nominated by the Ministry of Labour and Employment;
- (j) an officer not below the rank of Joint Secretary to be nominated by the Ministry of Disaster Management and Relief;
- (k) an officer not below the rank of Joint Secretary to be nominated by the Ministry of Women and Children Affairs;
- (l) an officer not below the rank of Joint Secretary to be nominated by the Finance Division;
- (m) an officer not below the rank of Joint Secretary to be nominated by the Legislative and Parliamentary Affairs Division;
- (n) an officer not below the rank of Joint Secretary to be nominated by the Local Government Division;
- (o) 2 (two) female and 2 (two) male representatives nominated by the Government from a non-governmental organizations or organizations of persons with disabilities or self-help organizations working for the protection of the rights of persons with disabilities;
- (p) Managing Director, National Disability Development Foundation, who shall also be its Member-Secretary.

**20. Duties and functions of the National Executive Committee.-** The duties and functions of the National Executive Committee shall be as follows, namely: -

- (a) to take appropriate actions to implement the policies, directions and recommendations adopted by the Government or the National Coordinating Committee;



- (b) to provide consultation or direction to any organization or statutory body or non-governmental organization or organization of persons with disabilities or self-help organizations or committees for the purpose of ensuring the rights and protection of persons with disabilities and to coordinate their activities;
- (c) to monitor, supervise and provide necessary instructions to perform the functions of the Committee;
- (d) to submit at least one annual report to the National Coordinating Committee on the activities undertaken to protect the rights of persons with disabilities; and
- (e) to perform any other duties or functions prescribed by the National Coordinating Committee.

**21. District Committee.-** For carrying out the purposes of this Act, there shall be constituted a committee to be called the 'District Committee on the Rights and Protection of Persons with Disabilities' consisting of the following members in each district, namely:-

- (a) Deputy Commissioner, who shall also be its Chairman;
- (b) Superintendent of Police;
- (c) Civil Surgeon;
- (d) District Education Officer;
- (e) District Primary Education Officer;
- (f) Executive Engineer of the Public Works Department;
- (g) Executive Engineer of the Local Government Engineering Department;
- (h) District Information Officer;
- (i) District Women's Affairs Officer;
- (j) General Secretary of the District Legal Aid Committee;

- (k) Disability Services Officer of the Disability Services and Assistance Center (where applicable);
- (l) a person nominated by the Deputy Commissioner from among the persons engaged in social work in the concerned district;
- (m) not more than 2 (two) representatives, including 1 (one) woman nominated by the Deputy Commissioner, from a non-governmental organization or organization of persons with disabilities or self-help organizations working for the protection of the rights of persons with disabilities;
- (n) Deputy Director of the District Social Service Office, who shall be its Member-Secretary.

(2) A Member of Parliament from the concerned district nominated by the Speaker of the House of the Nation shall be an advisor to the Committee referred to in sub-section (1):

Provided that if there is a woman Member of Parliament in the said district, the said Member of Parliament shall be given priority in the case of nomination.

**22. Duties and functions of the District Committee.-** The duties and functions of the District Committee shall be as follows, namely: -

- (a) to implement the decisions or directives of the Government or the National Coordinating Committee or the National Executive Committee;
- (b) to submit at least one annual report to the National Executive Committee on the activities undertaken to protect the rights of persons with disabilities;
- (c) to coordinate, monitor, supervise and give necessary directives to all Upazila Committees or Urban Committees or all District level government offices, educational institutions or non-governmental organizations or organizations of persons with disabilities or self-help organizations established for the rights and protection of persons with disabilities; and

- (d) to perform any other duties or functions prescribed by the National Coordinating Committee or the National Executive Committee.

**23. Upazila Committee.-** For carrying out the purposes of this Act, there shall be constituted a committee to be called the ‘Upazila Committee on the Rights and Protection of Persons with Disabilities’ consisting of the following members in each upazila, namely:-

- (a) Upazila Nirbahi Officer, who shall also be its Chairman;
- (b) Upazila Health and Family Planning Officer;
- (c) Upazila Engineer of Local Government Engineering Department;
- (d) Officer-in-charge of the police station;
- (e) Upazila Secondary Education Officer;
- (f) Upazila Education Officer;
- (g) Upazila Women's Affairs Officer;
- (h) Chairman of the Upazila Legal Aid Committee;
- (i) a representative nominated by the Mayor of the Municipality, (if any);
- (j) a person nominated by the Upazila Nirbahi Officer from among the persons engaged in social work of the concerned upazila;
- (k) not more than 2 (two) representatives, including 1 (one) woman, nominated by the Upazila Nirbahi Officer from a non-governmental organization or organization of persons with disabilities or self-help organizations working for the protection of the rights of persons with disabilities;
- (l) Upazila Social Service Officer, who shall also be its Member-Secretary.

(2) The Chairman of the Upazila Parishad shall be the advisor of the committee referred to in sub-section (1).

(3) Upazila Committee shall carry out its duties and functions within the territorial boundaries of the whole upazila except the urban area under the concerned upazila, if any, and shall also carry out its duties and functions in the Municipality under the upazila in the absence of any office of the Urban Community Development Programme (UCD) in the said upazila.

**24. Urban Committee.-** For carrying out the purposes of this Act, there shall be constituted one or more committees to be called the ‘Urban Committee on the Rights and Protection of Persons with Disabilities’ consisting of the following members in urban area or areas under the jurisdiction of the City Corporation, namely:-

- (a) Chief Executive Officer of the concerned City Corporation or the Regional Executive Officer, as the case may be, who shall also be its Chairman;
- (b) any suitable officer nominated by the concerned Deputy Commissioner;
- (c) Medical Officer of the City Corporation or the concerned Regional Office, as the case may be;
- (d) concerned Upazila or Thana Education Officer, as the case may be, (where applicable in all cases);
- (e) concerned District Women's Affairs Officer or any suitable officer nominated by him;
- (f) officer-in-charge of the concerned police station (where applicable in all cases);
- (g) not more than 2 (two) persons, including 1 (one) woman nominated by the Chief Executive Officer of the City Corporation or the Regional Executive Officer, as the case may be, from any non-government organization or organization of the persons with disabilities or self-help organization, if any, working for the protection of the rights of persons with disabilities; and
- (h) Urban Social Service Officer, who shall also be its Member-Secretary.

(2) For carrying out the purpose of this Act, there shall be constituted a committee to be called the 'Urban Committee on the Rights and Protection of Persons with Disabilities' consisting of the following members in the urban areas under the jurisdiction of the Municipality, namely:-

- (a) Chief Executive Officer of the concerned municipality, who shall also be its Chairman;
- (b) Medical officer of the concerned municipality;
- (c) concerned Upazila or Thana Education Officer;
- (d) officer-in-charge of the concerned police station;
- (e) concerned Upazila Women's Affairs Officer or any suitable officer nominated by the District Women's Affairs Officer, as the case may be;
- (f) not more than 2 (two) representatives, including 1 (one) woman nominated by the mayor of the municipality from a non-government organization or organization of persons with disabilities or self-help organization, if any, working for the protection of the rights of persons with disabilities; and
- (g) Urban Social Service Officer, who shall also be its Member-Secretary.

(3) The Urban Committee or committees, as the case may be, constituted under sub-section (1) shall carry out its duties, responsibilities and functions in the concerned urban area, that is, in the area under the jurisdiction of the concerned Urban Community Development Programme (UCD) office of the Department of Social Services located in the City Corporation.

(4) Where there is one UCD office in a City Corporation, one Urban Committee shall be constituted and the Chief Executive Officer of the City Corporation shall be the Chairman of the said Urban Committee; where there is more than one UCD office in a City Corporation, the Urban Committees shall be constituted on the basis of the number of UCD offices, and the regional executive officer shall be the Chairman of the said Urban Committee in the presence of regional office and in the absence of regional office,

the Chief Executive Officer of the City Corporation shall be the Chairman of the said Urban Committee.

(5) The Urban Committee constituted under sub-section (2) shall carry out its duties, responsibilities and functions in the area of the concerned urban area, i.e. in the area under the jurisdiction of the concerned municipality.

**[Explanation:** In this section-

- (a) "regional office" means the regional office of the City Corporation where there is an Urban Community development Programme (UCD) office of the Department of Social Services;
- (b) "Regional Executive Officer" means the Regional Executive Officer of the Regional Office;
- (c) "Urban Community Development Programme" or "UCD" means the existing urban social service activities of the Department of Social Services; and
- (d) "City Corporation" means any City Corporation established under the Local Government (City Corporation) Act, 2009 (Act No. LX of 2009).]

**25. Duties and functions of Upazila Committee or Urban Committee.-** The duties and functions of the Upazila Committee or Urban Committee shall be as follows, namely:-

- (a) to implement policies formulated and directives issued by the National Coordinating Committee, decisions or directives issued by the National Executive Committee and District Committees to ensure the rights and protection of persons with disabilities;
- (b) to implement or monitor the projects or programmes adopted by the Government in the concerned upazila or urban area;
- (c) to coordinate the activities of all government and non-government organizations engaged in ensuring the rights and protection of persons with disabilities in upazila and urban areas and provide with necessary instructions thereto;

- (d) to submit at least one annual report to the District Committee on the activities undertaken and carried out for the protection of the rights of persons with disabilities;
- (e) if a person with disabilities is unable to look after any property which he inherited or otherwise gained or acquired in any other way, to take the responsibilities by the committee itself or to assign any suitable person or organization to look after it on the basis of application made by the concerned person with disabilities, his parents, his legal or lawful guardians or an organization of persons with disabilities:

Provided that the person or organization taking responsibility for the maintenance of the property shall regularly pay the income, dividends or profits from the property, if any, to the person with disabilities and inform the Committee about the latest status of the accounts and protection of the said property in the prescribed manner and time.

- (f) to provide registration and identity card to every disabled person in accordance with this Act and the rules made there-under; and
- (g) to perform such other duties or functions as may be prescribed by the National Coordinating Committee or the National Executive Committee.

**26. Qualifications, disqualifications, resignation, etc. of the nominated member.-** (1) No person shall be eligible to be or remain to be a nominated member of a committee, if he-

- (a) is not a citizen of Bangladesh or gives up or loses citizenship of Bangladesh; or
- (b) is declared by a competent court to be of unsound mind; or
- (c) is declared insolvent by a competent court established by any law for the time being in force and remains an undischarged insolvent; or

- (d) has been, on conviction for a criminal offence involving moral turpitude, sentenced to imprisonment for a term of not less than two years; or
- (e) has been convicted of any offence under this Act or rules:

Provided that the nominating authority or officer may at any time cancel the relevant nomination and make a nomination to a new person at that place:

Provided further that a nominated member may at any time resign his membership by submitting a letter with signature to the chairman of the concerned committee.

(2) Notwithstanding anything to the contrary contained in any other provision of this Act, the Government may, if necessary, by notification in the Official Gazette, reduce or increase the number of members of any committee constituted under this Act and co-opt any person into the Committee.

**[Explanation:** In this section, "nominated member" means any nominated member of the committee.]

**27. Meeting of the Committee.-** (1) The committees constituted under this Act may, subject to the provisions of this section, determine the procedure of their meetings.

(2) At least two meetings of the National Coordinating Committee, at least three meetings of the National Executive Committee, at least four meetings of the District Committee and at least six meetings of the Upazila or Urban Committee shall be held every year.

(3) The meetings of the committees shall be held at such place and time as may be determined by their respective Chairman.

(4) The Chairman of the concerned committee shall preside over all the meetings of the committee and in his absence any other member as directed by him, or in the absence of any such direction, any other member elected by the members present at the meeting shall preside over the meeting.



(5) To constitute a quorum at a meeting of the committee, presence of not less than one-third of the total number of the members shall be required.

(6) The decision shall be taken on the basis of general consensus in the meeting of the committee, but in case of disagreement on any matter, the decision shall be taken on the basis of majority of votes of the members present.

(7) In the event of a vote, each member shall have one vote and in case of equality of votes, the person presiding over the meeting shall have a second or casting vote.

(8) The committee may invite an expert or an informed person to give an opinion or a statement in order to facilitate a decision on any of the issues discussed at its meeting, but the invited person shall not have any voting right.

(9) No act or proceeding of any committee shall be invalid or be called in question in any court or any other authority merely on the ground of existence of any vacancy in, or defect in the constitution of, the relevant committee.

**28. Sub-committee.-** The National Coordinating Committee, the National Executive Committee, the District Committee, the Upazila Committee or the Urban Committee may, if necessary, constitute required number of sub-committees consisting of one or more of its members and any other person with a view to facilitating its functions and may determine the number of the members of such sub-committee and its duties and responsibilities.

**29. Responsibilities of government, non-government organizations and local authorities.-** (1) Notwithstanding anything contained in any other law for the time being in force, all government, non-government organizations, educational institutions and local authorities shall, with a view to facilitating the persons with disabilities to enjoy their rights properly and conveniently, provide necessary assistance in the implementation of the policies and directives made by the National Coordinating Committee, decisions and directives adopted by other committees and the programmes or projects undertaken by the Government for the protection of the welfare and interests of persons with disabilities.

(2) The Government shall take necessary steps in phases to implement the equal rights protection programme of the persons with disabilities mentioned in the Schedule.

**30. Delegation of duties.-** The committee may, subject to such conditions as it deems fit, delegate its duties and functions to any of its members or any other person or organization for efficient performance of its duties and functions.

**31. Issuance of registration and identity card of the persons with disabilities.-**

(1) In order to register and receive identity card as a person with disabilities, the person with disabilities, himself or his parents, his legal or lawful guardian or the organization of the persons with disabilities may, with the prescribed information and the certificate of the physician in charge of the concerned Upazila Health Complex or Government Hospital, apply to the Chairman of the Upazila Committee or the Urban Committee of that urban area, as the case may be, in which the person with disabilities resides permanently, can apply.

(2) After verifying the accuracy and validity of the information provided with the application received under sub-section (1), the Upazila Committee or the Urban Committee, as the case may be, instruct the member secretary to register the applicant as a person with disabilities and issue an identity card in his favour if it deems appropriate or may reject the application if not deemed fit:

Provided that no application shall be rejected without giving an opportunity of being heard to the person with disability or, his parents, his legal or lawful guardian or organization of the persons with disabilities, and if the application is to be rejected, in any case, his parents, legal or lawful guardians or the organization of the persons with disabilities shall be informed about the rejection of the application stating the reasons thereof.

(3) If any application is rejected, the applicant may prefer an appeal to the District Committee within 30 (thirty) days of being informed of the reason for such rejection.

(4) The Member-Secretary, upon receipt of instructions from the Chairman of the Committee under sub-section (2), shall record the information mentioned in the application in a register and issue an identity card in favour of the applicant upon registering him in the prescribed form.

(5) The Upazila Committee or the Urban Committee, as the case may be, shall consider the certificate of the physician in charge of the concerned Upazila Health Complex or Government Hospital in case of proving whether the applicant is a person with disabilities under sub-section (1).

(6) No person with disabilities shall be entitled to receive any benefit prescribed for him under this Act or any other laws without having an identity card issued under this section.

(7) The matters regarding registration as a person with disabilities and issuance of identity card and duplicate identity card, as the case may be, including other related matters shall be prescribed by rules.

**32. Reservation of seats in public transport, etc.-** (1) Notwithstanding anything contained in any other law for the time being in force, the owner or authority of all public transport shall reserve 5 (five) per cent of the total number of seats for persons with disabilities within the period prescribed by notification in the Official Gazette by the Government.

(2) If the owner or authority of a public transport does not take or refrain from taking the action referred to in sub-section (1) or if the driver, supervisor or conductor of a public transport does not assist a person with disabilities to take a seat in a reserved seat or obstructs him from taking a seat, if so, the Committee shall, after an appropriate investigation and verification of its authenticity, make recommendations to the appropriate authorities for cancellation of the registration of such transport.

[**Explanation:** In this section, ‘public transport’ means any common carrier which transports passengers in exchange for fare by land, water and air.]

**33. Remedy for discrimination in admission of persons with disabilities in educational institutions.-** (1) Notwithstanding anything contained in any other law for the time being in force, the head or authority of an educational institution shall not, in spite of having other qualifications, reject the application for admission only on the ground of disability.

(2) Notwithstanding anything to the contrary contained in any other provision of this Act, if the head or authority of an educational institution makes any discrimination in connection with admission under sub-section (1), the victim of discrimination may lodge a complaint with the concerned committee.

(3) Upon receiving any complaint under sub-section (2), the committee may, after giving an opportunity of appropriate hearing to the head or authority of the educational institution concerned, if it deems fit, give direction for admission of the concerned person with disability and, if necessary, make recommendation to the authority controlling the

institution for taking necessary action against the head or authority of the educational institution.

**34. Ensuring the accessibility of persons with disabilities in public establishments.-** (1) Notwithstanding anything contained in any other law for the time being in force, the Building Construction Act, 1952 (East Bengal Act II of 1953) and the rules made there-under shall be followed to ensure the accessibility of persons with disabilities to public establishments.

(2) Notwithstanding anything contained in sub-section (1), all such existing public establishments accessible by public shall, as soon as possible and as far as possible, be made the establishments suitable for the ascent, movement and use of persons with disabilities.

[**Explanation:** In this section, 'public establishments' means all public and private houses or buildings, parks, stations, ports, terminals and roads that are open for the public to access and movement.]

**35. Not being employed due to disability, etc.-** (1) Notwithstanding anything contained in any other law for the time being in force, a person with a disability shall not be deprived of, or discriminated against, or hindered from, engaging in any suitable work in accordance with the type of disability, in spite of his qualifications.

(2) If any question arises as to whether any work is suitable for a person with disability, the National Coordinating Committee shall give necessary instructions in that regard and the instructions given by the National Coordinating Committee in this regard shall be final.

**36. Prohibition of discrimination and providing compensation.-** (1) Notwithstanding anything to the contrary contained in any other provision of this Act, no person or institution or authority or body shall discriminate or behave discriminatory in respect of the rights of persons with disabilities.

(2) If any person or establishment or authority or organization shows any kind of discrimination or behave discriminatory with a person with disability or if he is injured by any act or abstain him from doing any work or by deprived of any of the rights mentioned in this Act, an application may be made to the concerned District Committee claiming appropriate compensation against the responsible person or establishment.

(3) In case of any application for compensation made under sub-section (2), the District Committee shall, if necessary, inquire into the matter and take hearing in accordance with prescribed procedure and issue orders within the time limit prescribed by it to the concerned person or organization with a view to eliminating the discrimination mentioned in that sub-section or implementing the right, as the case may be.

(4) If the discrimination mentioned in sub-section (2) is not eliminated or the rights are not implemented, as the case may be, within the time limit specified by the District Committee under sub-section (3), the District Committee may issue an order to the responsible person or organization for the payment of compensation upon determining the amount of compensation considering the extent of the victim's injury and the capacity of the responsible person or organization.

(5) If any person is aggrieved by any order made by the District Committee under sub-section (4), he may prefer an appeal to the National Executive Committee within the next 30 (thirty) working days from the date of issuance of such order:

Provided that if the National Executive Committee is satisfied that the appellant has not been able to prefer an appeal within that time for sufficient reasons, the Committee shall, in its discretion, accept the appeal within not more than 30 (thirty) days after the expiry of that time.

(6) The National Executive Committee shall, within 45 (forty-five) days after receipt of the appeal under sub-section (5), if necessary, after hearing the matter in the prescribed manner, issue the necessary order in favour of the appellant or, if not admissible, dismiss the appeal.

(7) The decision of the National Executive Committee given under sub-section (6) shall be final and binding on all parties concerned.

(8) If an order is made to pay compensation under this section, the responsible person or organization shall be obliged to pay the compensation to the applicant within the period specified in the relevant order.

(9) If any compensation payable under this Act is not paid within the stipulated time, it shall be recovered from the concerned person or organization in the manner in which the arrears of land revenue are recovered in accordance with the provisions of the Public Demands Recovery Act, 1913 (Act IX of 1913) and be paid to the person with disabilities.

(10) The National Executive Committee may request the concerned bank to freeze the bank account of the person, authority or institution concerned for facilitating recovery of compensation imposed under this Act.

(11) Notwithstanding anything to the contrary contained in this section, if any person is victim of disability due to negligence, overlook or any other act of any person or organization, a suit may be filed before the appropriate court for recovery of appropriate compensation against the person or organization directly or indirectly responsible.

**37. Offence and penalty.-** (1) If any person obstructs or attempts to obstruct a person with disabilities from accessing protection of law, it shall be an offence under this Act and for committing the offence, he shall be punished with imprisonment for a term which may extend to 3 (three) years, or with a fine which may extend to Taka 5 (five) lac, or with both.

(2) If a person with disabilities is deprived of from his inherited property while distributing the inheritance estate due to his disability, it shall be an offence under this Act and for committing the offence, he shall be liable to imprisonment for a term which may extend to 3 (three) years, or a fine which may extend to Taka 5 (five) lac, or with both.

(3) If any person misappropriates any property of a person with disabilities, it shall be an offence under this Act and for committing the offence, he shall be punished with imprisonment for a term which may extend to 3 (three) years, or with a fine which may extend to Taka 5 (five) lac, or with both.

(4) If any person directly or indirectly gives negative, misleading and harmful impression about a person with any disability or about any disability or insult by using negative words in any publication and media including textbooks, it shall be an offence under this Act and for committing the offence, he shall be punished with imprisonment of 3 (three) years, or fine which may extend to Taka 5 (five) lac, or with both.

(5) If any person registers as a person with disabilities or obtains an identity card by providing false or baseless information, it shall be an offence under this Act and he shall be punished with imprisonment for a term which may extend to 1 (one) year, or a fine which may extend to Taka 10 (ten) thousand, or with both.

(6) If any person makes an identity card through forgery, it shall be an offence under this Act and for committing the offence, he shall be punished with imprisonment for a term which may extend to 7 (seven) years, or with a fine which may extend to Taka 5 (five) lac, or with both.

**38. Filing of complaint, cognizance of offences etc.-** (1) Notwithstanding anything contained in the Code of Criminal Procedure, an aggrieved person with disabilities himself or his parents, his legal or lawful guardian or organization of persons with a disabilities may file a complaint for any offence committed under this Act.

(2) The trial of an offence committed under this Act shall be triable in the court of judicial magistrate of the first class.

(3) Offences committed under this Act shall be non-cognizable, compoundable and bailable.

**39. Application of the Code of Criminal Procedure.-** The Code of Criminal Procedure shall be applicable for the investigation, trial, appeal and all other incidental matters of offences committed under this Act.

**40. Offences committed by companies.-** If any provision of this Act is violated by a company, every director or manager or secretary or any other officer or agent thereof shall be deemed to have violated the provision unless he can prove that the violation was committed beyond his knowledge or he had due diligence to prevent such violation.

**[Explanation:** In this section-

- (a) "Company" shall include any statutory body, trade organization, partnership business, cooperation, association or organization; and
- (b) "Director", in the case of trade organization, shall include any of its partner or member of the Board of Directors.]

**41. Power to make rules.-** The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

**42. Removal of ambiguity.-** If any ambiguity arises in giving effect of any provision of this Act, the Government may, by notification in the official Gazette, remove such ambiguity, subject to being consistent with the provisions of this Act.

**43. Publication of English translation of the Act.-** After the commencement of this Act, the Government may, if necessary, by notification in the official Gazette, publish an authentic English text of this Act:

Provided that in the event of conflict between the Bangla and the English texts, the Bangla text shall prevail.

**44. Repeal and savings.-** (1) Upon the commencement of this Act, the Bangladesh Disability Welfare Act, 2001 (Act No. XII of 2001) shall stand repealed.

(2) Notwithstanding such repeal under sub-section (1), anything done or any action taken under the repealed Act shall be deemed to have been done or taken under this Act and all acts pending on the date of coming into force of this Act, as far as possible, shall be disposed of under this Act.

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## **Schedule**

[See section 2 (7)]

### **Activities for protection of the rights of the persons with disabilities**

**1. Detection:**

- (a) to conduct survey for the collection of statistics and data of all persons with disabilities;
- (b) to detect disabilities along with persons with disabilities in all censuses or surveys conducted in the country including population census;
- (c) to make arrangements for detecting the children who might be victim with disabilities;
- (d) to create a complete database including a separate list of persons with disabilities and to arrange for updating the database in a usable manner including preservation of the database in the prescribed manner at the central level; and
- (e) to make arrangement for suitable trained manpower for detection.

**2. Assessment & Planning:**

- (a) to identify, plan, implement and evaluate the causes, problems, supporting resources and prospects of disabilities of the persons with disabilities in the prescribed manner; and
- (b) to take appropriate action considering the type of disability in accordance with the provisions of this Act.

**3. Health Services:**

- (a) to take appropriate steps to ensure food security and nutrition of children with disabilities and persons with disabilities;
- (b) to take preventive measures and to reduce the risk of further disability of children, women, the elderly and persons with multiple disabilities;
- (c) to provide free medical services including to arrange assistive devices or to provide medical expenses, as the case may be, and to provide tax rebate subject to prior approval of National Board of Revenue for the persons with disabilities due to mental illness and for persons with disabilities needed long-term treatment;

- (d) to take steps for reducing the medical expenses in private hospitals or clinics for the poor persons with disabilities; and
- (e) to arrange training for doctors, social workers and health workers including provision of medical equipment for the treatment of persons with disabilities in government hospitals and health centers.

**4. Language & Communication:**

- (a) to recognize all means, modes and manners of useful communication and to encourage the use of them including sign language, Braille, tactile communication, visual communication, auxiliary and computer-based multidimensional communication methods, as the case be, considering the variety of needs;
- (b) to take institutional action in the formulation and development of standard Bangla sign language;
- (c) to take effective steps to ensure the use of Bangla sign language in all places including hospitals, courts, police stations and educational institutions and, if necessary, to arrange the speech and language therapist; and
- (d) to assist in the creation of professional sign language interpreters and to provide affordable or free interpreter services to hearing impaired and speech impaired persons.

**5. Accessibility:**

- (a) to make arrangements for the accessibility and travel of persons with disabilities in government, statutory and non-governmental organizations or institutions and the facilities and services provided by them;
- (b) the following services and facilities shall include under above-mentioned clause (a), namely:-
  - (i) all places of regular public commuting, including buildings, vehicles, roads, educational and training institutions, hospitals, courts, police stations, railway stations, bus terminals, launch terminals, airports, seaports, river ports, land ports, disaster shelters, cyclone centers, cultural venues, services venues, recreation and sports places, sights, parks, libraries, public toilets, and underpasses and over bridges, etc .;

- (ii) all services including information, communication, information and communication technology, medical services, banking services and electrical and emergency services;
- (c) to take steps to include the theme of 'accessibility for persons with disabilities' in engineering curriculum;
- (d) to take steps to make it easier to distinguish between the various currencies of the country; and
- (e) to take steps for providing the accessibility of textbooks of National Curriculum and Textbook Board (NCTB) and books of various libraries through e-learning platform by using an acceptable and appropriate technology.

## **6. Sharing Information and Information & Communication Technology:**

- (a) to take steps for the accessibility of persons with disabilities through appropriate methods and technologies for the proper use of all information and services disseminated to the public by government, private and privately owned entities including the media and the internet, such as: web accessibility, video subtitles and audio descriptions, screen readers, text to speech, etc. and to encourage information and service providers to this end;
- (b) to take steps to make the content available to the persons with disabilities at the price at which the content is available to the public through e-text, Braille, large print and audio and other acceptable methods and technologies suitable for the use according to the type of disability;
- (c) to take steps to ensure easy access and use of the e-services provided to the public by various government agencies for persons with disabilities;
- (d) to take steps to ensure the production and distribution of disability-friendly information and communication technology materials;
- (e) to take measures for the installation of appropriate software and hardware for persons with disabilities working in public and private institutions;
- (f) to take steps to broadcast news and programmes in sign language on public and private television;
- (g) to make arrangements to bring information and communication technology accessible parts or technologies within the purchase capacity of the persons with disabilities;
- (h) to take steps to provide training in information and communication technology for persons with disabilities;

- (i) to make arrangements for the provision of electricity, water and gas connections , as the case may be, on a priority basis in the information and technology centers set up for the use of persons with disabilities;
- (j) to ensure government co-operation or availability to persons with disabilities in providing bandwidth or broadband service of submarine cable.

**7. Mobility:**

- (a) to take measures to assist in personal movement in a timely and affordable manner according to his will if not contrary to the best interests of the person with disability and to take steps to ensure the availability of quality moving aids, materials, assistive technology and human cooperation in movement and communication;
- (b) to encourage the institutions of manufacturing mobility aids, materials, assistive technology to consider all possible aspects of the movement of persons with disabilities and to arrange rebate of tax applicable on imported of auxiliary materials along with conducting research work to that end;
- (c) to take steps to provide training on disability movement strategies to the persons with disabilities and support staff; and
- (d) to create opportunities for the persons with disabilities carrying identity cards and one of their associates to transport of portable goods including concessional fares on buses, trains, planes and ships and to take steps to reserve seats in all types of vehicles.

**8. Habilitation and Rehabilitation:**

- (a) to undertake family or community based rehabilitation programmes and to encourage private enterprise;
- (b) to take steps in the prescribed manner to ensure physical, emotional and intellectual development;
- (c) to establish the necessary number of institutions to ensure institutional rehabilitation for persons with disabilities, especially those with mental illness, who are deprived of special care in the family environment, and to take steps to adapt existing institutions to persons with disabilities, as the case may be;

- (d) to prescribe the minimum care of standard according to the type of disability and to take steps in the prescribed manner to make professional caregivers; and
- (e) subject to government policy, to arrange for the posting and transfer of the parents of the child with disabilities working in the public or private institution, statutory bodies and local authorities to the area of educational and training institution of the concerned child with disability.

## **9. Education & Training:**

- (a) to relax the starting age of a child with a disability than a normal school-going child;
- (b) to take necessary steps including preparation and distribution of appropriate educational materials;
- (c) to arrange reasonable accommodation in educational institutions considering the needs of students with disabilities in order to implement integrated education;
- (d) to introduce integrated special education and vocational training programmes considering the differences in needs according to the type and gender of disability and to ensure accessibility for persons with disabilities in existing technical-vocational education and training programmes;
- (e) to take steps to integrate special education institutions with mainstream educational institutions;
- (f) to take steps to provide training in the prescribed manner for professionals and staff working at all levels of the education system;
- (g) to develop and apply effective methods of participation in examinations considering the differences in demand according to the type of disability;

Provided that until such a procedure is applied, the necessary measures must be taken to ensure that visually impaired persons, physically handicapped persons and persons with cerebral palsy as the case may be, can avail the services of the appropriate dictator easily and cheaply or free of charge;

- (h) to maintain fair and effective quotas for persons with disabilities in educational institutions for admission on merit basis;
- (i) to take steps to provide training to parents, guardians, teachers and caregivers for the education and training of children with disabilities, especially children with special needs;
- (j) to take steps to provide scholarships to students with disabilities in terms of necessity; and

- (k) to formulate curriculum by determining the capacity of the disabled considering their differences according to the type of disability.

**10. Employment:**

- (a) to create job opportunities on priority basis for persons with disabilities at government and private levels under appropriate policies, including identification of suitable workplaces, and in this case to provide tax rebate to private entrepreneurs subject to prior approval of the National Board of Revenue;
- (b) to ensure access to banking services on priority basis or non-discriminatory practices in getting credit facilities for self-employment, business venture or self-employment of the persons with disabilities and to ensure commercial facilities, including electricity, gas, and water connections, as the case may be;
- (c) to give priority and encouragement to the formation of co-operative societies for all persons with disabilities in the light of the relevant laws and regulations;
- (d) to provide reasonable accommodation for required comfort considering the different needs of persons with disabilities in the workplace;
- (e) to relax the prescribed age limit and to make arrangements of the preservation of appropriate quotas for persons with disabilities in employment in public-private, statutory bodies and local authorities, subject to the policy of the Government; and
- (f) to prescribe small repetitive but important work for production according to the ability of the persons with disabilities and to make arrangements for their employment accordingly.

**11. Social Security:**

- (a) to ensure the inclusion of persons with disabilities, in particular, poor and vulnerable disabled children, women with disabilities and elderly disabled persons in the existing social safety net and poverty alleviation programmes on a phased basis; and

- (b) to encourage insurance companies to introduce special insurance schemes for persons with disabilities.

**12. Freedom from Violence, Access to Justice and Legal Aid:**

- (a) to take appropriate training programmes for those working in the judiciary, including the police and prison authorities, to ensure effective access to justice for persons with disabilities;
- (b) to take appropriate measures for treatment including legal, administrative, social, educational or other measures to protect persons with disabilities from all forms of exploitation and physical and mental abuse, including sexual harassment and rape, regardless of gender, indoors or outdoors;
- (c) to arrange suitable 'safe home' for the persons with disabilities under safe custody and persons with disabilities who have been subjected to torture in a prescribed manner; and
- (d) to take appropriate measures to ensure that the person with a disability who is a victim of torture receives the necessary legal aid, in which case, in case of need for linguistic communication, to take steps to ensure access to the assistance of a specialist.

**13. Natural Disaster, Risk and Humanitarian Emergencies:**

- (a) to take appropriate steps to ensure the safety and security of persons with disabilities from all risk situations, including natural disasters, humanitarian emergencies and conflicts;
- (b) to ensure the protection of persons with disabilities on a priority basis in the dissemination of precautionary information, rescue, shelter, relief distribution and post-disaster rehabilitation activities by the Government in the field of disaster management; and
- (c) to ensure the representation of persons with disabilities in various levels of disaster management committees.

**14. Sports, cultural activities and recreation:**

- (a) to ensure development of creative, artistic and intellectual potential, physical, emotional and intellectual growth, suitable indigenous cultural activities considering types of disabilities, recreation, tourism, leisure and sports activities and creating opportunities for persons with disabilities to participate in such activities;
- (b) to take steps to prepare and disseminate appropriate drama, theater, film, educational magazine programme, news, etc. considering types of disabilities;
- (c) to organize sports and competitions suitable for persons with disabilities, to arrange the representation of persons with disabilities in sports and cultural organizations at the national level, as the case may be;
- (d) to send teams of persons with disabilities to sports and cultural activities or competitions at home and abroad and to arrange the necessary financial assistance;
- (e) to arrange play therapy; and
- (f) to set up sports training centers for the disabled with special facilities.

**15. Awareness:**

- (a) to launch and continue effective campaigns on the abilities and contributions of persons with disabilities and to encourage all types of media in this regard;
- (b) to take appropriate action at the level of the education system including the inclusion of content in the text book with a view to developing respectful attitude in all children from their infancy for the rights of persons with disabilities;
- (c) to encourage the recognition of the abilities and contributions of persons with disabilities;
- (d) to take the necessary steps with a view to ensuring the use of the appropriate and dignified words and terms on disability by the public and private media and broadcasting industry; and



- (e) to conduct effective awareness activities in dispelling misconceptions and superstitions about disability for mental illness.

**16. Organization:**

- (a) to arrange and promote appropriate training at national, divisional, district and upazila level in phases for the development of leadership of persons with disabilities;
- (b) to promote for the establishment of organizations of persons with disabilities and self-help organizations and to ensure receipt of financial assistance for such organizations; and
- (c) to ensure the participation of the organizations of persons with disabilities and self-help organizations in the decision making process for the development of persons with disabilities.

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