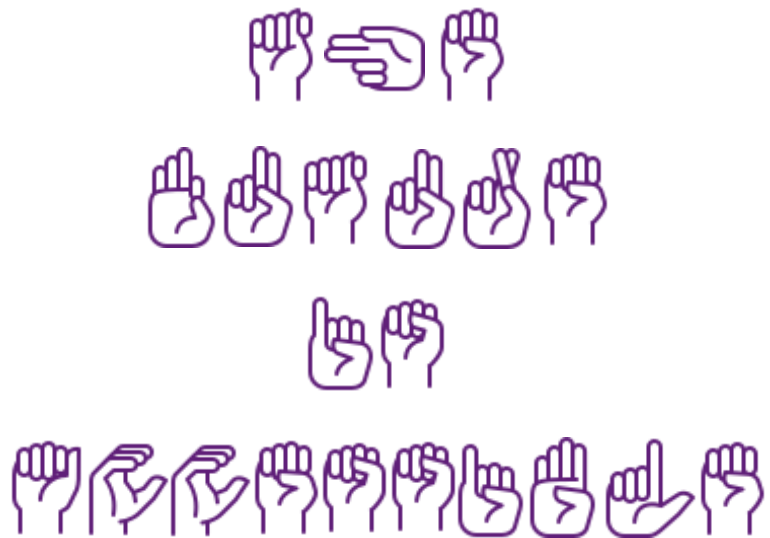


A-Z of RPWD Act, 2016



**THE
FUTURE
IS
ACCESSIBLE**



sense
International
INDIA

Working with deafblind people

Acknowledgements

Sense International India, also known as 'Sense India' has been engaging civil society since its inception in 1997 and it is this advocacy work of the team, which formed the basis for this A-Z booklet developed through web based research. It is being published to provide easy to understand key points of the RPWD Act for persons with deafblindness (PwDb). Each alphabet takes the reader through a concept which can be used as a separate factsheet to develop understanding about the Act and its key provisions for PwDb.

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Last but not the least, we are thankful to Ms. Vaibhavi Soni for her contribution in compiling the content and designing this very useful advocacy tool.

**Nelumbo
Foundation**



Introduction

The A-Z of RPWD Act, 2016 is an easy to go through guide to the Rights of Persons with Disabilities Act, a landmark legislation passed by the Government of India to safeguard the rights and privileges of persons with disabilities.

Specifically, this book aims to simplify the Act's provisions relating to the rights of deafblind individuals in India.

From access to education and employment to protection against discrimination and abuse, this book covers key areas of the act essential for persons with deafblindness listing them from A to Z.

Whether you are a person with deafblindness seeking to understand your rights or an ally looking to learn more about the issues faced by this community, this book is an essential resource. Detailed information can be accessed through scanner codes mentioned on all A-Z pages.

Let's dive right in!

Deafblindness, a condition that affects both hearing and vision, is a unique and often misunderstood disability.

For those living with deafblindness, access to information and communication can be a significant challenge.

Despite the difficulties faced, deafblind individuals are capable and skilled individuals who deserve the same rights and opportunities as anyone else.

From education and employment to social participation and independence, there are many areas of life where deafblind individuals need support and accommodations.

By working together and advocating for the rights of deafblind individuals, we can create a more inclusive and accessible society for all.

Before we look into the A-Z of the RPWD Act for Persons with Deafblindness, here are the **General Principles of the CRPD available for persons with disabilities:**

- (a) respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- (b) non-discrimination;
- (c) full and effective participation and inclusion in society;
- (d) respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- (e) equality of opportunity;
- (f) accessibility;
- (g) equality between men and women;
- (h) respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities;

AWARENESS



95% of
what we
learn is
through eyes
and ears.

Deafblind individuals are unable to rely on their hearing and sight to understand the world, and as a result, they face numerous challenges in their daily lives.

The Deafblind community needs support.



Reference:
Section 39

RPWD Act, 2016

Need for Awareness about deafblindness - What you should know:

- Awareness campaigns and sensitization programmes shall be conducted by all government departments to ensure protection of the rights of persons with deafblindness.
- These programmes must promote values of inclusion, tolerance, empathy and respect for diversity.
- They must advance the recognition of their skills, merits and their contributions to the workforce and professional world.
- These campaigns must foster respect for decisions made by them on all matters related to family life, relationships, bearing and raising children.
- Orientation and sensitization must be provided at the school, college, university and professional training levels on deafblindness and the rights of deafblind persons.
- Deafblind persons rights must be included in the curriculum of universities, colleges and schools.

BENCHMARK PROVISIONS



Nikhil and Govinda, adults with deafblindness sensitizing an official in Guwahati, Assam

We all need to be sensitized on Benchmark provisions for Persons with Deafblindness.



Reference:
Section 2, 31, 33,
34, 36 & 38

RPWD Act, 2016

The RPWD Act 2016 defines a "person with benchmark disability" as someone with at least 40% of a specified disability.

How to calculate total percentage of multiple disability?

$$a + \frac{b(90-a)}{90},$$

where,

“a” will be the higher score, “b” will be the lower score.

The maximum total percentage of multiple disabilities shall not exceed 100%.

Here is an example of a person with deafblindness:

If the percentage of hearing disability is 30% and visual disability is 20%, then by applying

the combining formula given above, the total percentage of multiple disability will be calculated as follows:

$$30 + \frac{20(90-30)}{90} = 43\%$$



Assessment
Guidelines
notified by the
Government of
India

Provisions for persons with deafblindness who require high support:

- Any person with a benchmark disability who needs high support, or any person or organization on their behalf, can apply to the appropriate government authority.
- The authority will then refer the case to an Assessment Board, which will assess the need for high support and its nature.
- Once the assessment is complete, the authority will take steps to provide the necessary support in accordance with the report.

Rights for persons with deafblindness:

- Every child with benchmark disability between the age of six to eighteen years shall have the right to free education in a neighbourhood school, or in a special school, of his choice.
- For Government jobs reservation:
 - There must be identification of posts for reservation.
 - 4% of total vacancies in each job group must be reserved for persons with benchmark disabilities, with 1% each for clause a, b and c
 - (a) blindness/low vision
 - (b) deafness/hard of hearing
 - (c) locomotor disability
 - and 1% for clause d and e
 - (d) autism/intellectual disability/specific learning disability/mental illness
 - (e) Multiple disability including deafblindness
 - Employers are required to notify a special employment exchange of any vacancies that arise in their establishment, in order to make them available to persons with benchmark disabilities.
 - Special employment exchange to keep information of interested employers and of persons with benchmark disability seeking jobs.

COMMUNITY LIFE



Ibrahim, a child with deafblindness, happily exploring the zoo with his father

Reference:
Section 5



RPWD Act, 2016

Reference:
Article 19



UNCRPD

Rights for persons with deafblindness to live within the community:

- Persons with deafblindness or multiple disabilities have equal rights to live in the community.
- They have the right to choose their place of residence and who they live with, in an equal basis with others.
- They have access to in-home, residential and other community support services to support living and inclusion in the community.
- Community services and facilities for the general population should be available on an equal basis to persons with deafblindness, and should be responsive to their needs.
- They should be given access to personal assistance to support living with due regard to age and gender.
- Governments should not require persons with deafblindness to live in any particular arrangement, unless it is for their betterment.

DISASTER MANAGEMENT



Hand Stopping Falling wooden Dominoes effect depicting Disaster Management



Reference:
Section 8 & 24
RPWD Act, 2016

Rights for persons with deafblindness:

- Persons with deafblindness shall have equal protection and safety in armed conflict, humanitarian emergencies and natural disasters.
- National and State Disaster Management Authorities should take measures to include them in their activities for safety and protection.
- District Disaster Management Authorities must maintain records of persons with deafblindness in the district and inform them of any situations of risk.
- Authorities in charge of reconstruction activities should consult State Commissioners and abide by accessibility requirements for persons with deafblindness.
- Government shall support them during natural or man-made disasters and in areas of conflict.

EDUCATION



A young child with deafblindness learning math using Taylor's mathematical frame

Reference:

Section 16-18, 31, 32 & 47



RPWD Act, 2016

Reference:

Article 24



UNCRPD

Rights for persons with deafblindness:

- The act recognizes the right of persons with disabilities including deafblindness to education on a basis of equal opportunity.
- All the education institutions recognized by the government should admit all students with deafblindness without any discrimination.
- Individualized need based support should be provided to maximize academic and social development of the student with deafblindness. It includes education in appropriate languages and communication modes.
- Make buildings, campuses, and other facilities accessible and provide reasonable accommodations.
- Institutions to provide transportation and other assistance including attendants to those with high support needs.
- Teachers should be trained in braille and sign language including tactile mode to support education of students with deafblindness.
- All learning materials to be provided in accessible form - braille, large font, accessible digital books, sign language etc.
- Free education must be provided to children with benchmark disabilities in the age range of 6-18.
- All higher education institutions that receive aid from the government must reserve 5% of their seats for people with benchmark disabilities. They are also eligible for an upper age relaxation of five years for admission into higher education institutions.
- The Act mandates the government to provide inclusive and accessible education to all the students with deafblindness.

FINANCIAL INDEPENDENCE



Rajnish, a deafblind individual by birth, can be seen joyfully holding currency notes in his hand

Earning money is equally important for persons with deafblindness.



Reference:
Section 24, 37, 84
& 88

RPWD Act, 2016

Rights for persons with deafblindness:

- Every person with deafblindness has the right to learn skills and be financially independent.
- Government shall provide social security schemes and programmes to ensure adequate living standards for those with deafblindness.
- When devising these schemes, due consideration should be given to diversity in terms of disability, gender, age and socio-economic status.
- These schemes should include: support for women with deafblindness to obtain livelihood and bring up their children; access to aids and appliances, medicine, corrective surgery, diagnostic services and disability pension provided free with an income ceiling; unemployment allowance for those registered with a Special Employment Exchange for more than 2 years; care-giver allowance to those with high support needs.
- The act also provides a 5% reservation in allotment of agricultural land, housing and poverty alleviation schemes, with priority given to women with benchmark disabilities.
- It also provides 5% reservation in allotment of land on a discounted rate for activities such as housing, occupation and production centers.

GUARDIANSHIP



Rohan, a boy with deafblindness, is being guided towards a fulfilling life by his caregiver, Ranjan Ben

Guardian is also a caretaker.



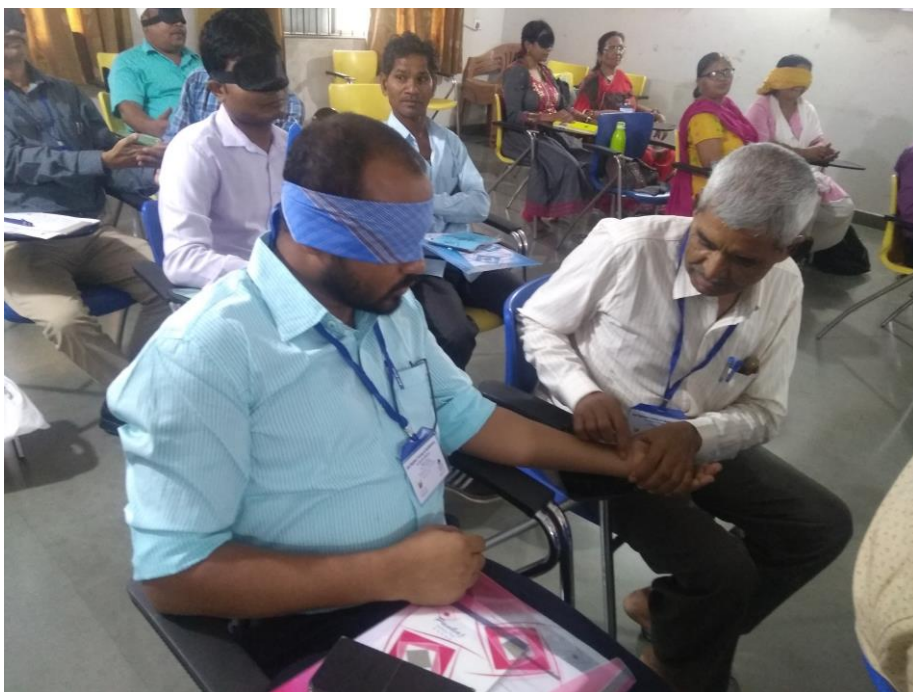
Reference:
Section 14 & 15

RPWD Act, 2016

Rights for persons with deafblindness:

- A guardian is someone who will be responsible for taking legally binding decisions on behalf of the person with deafblindness, in consultation with them.
- People with deafblindness who disagree with the appointment of a legal guardian can appeal the decision to a designated appellate authority.
- A guardian cannot use overprotection as a ground to keep deafblind people away from doing what they like.
- A guardian cannot make decisions on behalf of deafblind individuals over the age of 18 against their consent, if the individual desires to pursue new experiences in life.
- The act mandates the government to appoint authorities to help deafblind people make decisions and raise awareness.
- If a person with deafblindness provided adequate and appropriate support, is still unable to take decisions, she/he may be provided support of a limited guardian. Limited guardianship is a system of joint decision-making that operates on mutual understanding and trust between the guardian and the person with a disability. It is limited to a specific period and specific decisions and situations and must operate in accordance with the will of the person with a disability.
- These authorities should also provide support for living in institutions or to those with high support needs, and implement other necessary measures.

HUMAN RESOURCE DEVELOPMENT



Educators undertaking training for support to persons with deafblindness.

Reference:
Section 47



RPWD Act, 2016

Reference:
Article 24



UNCRPD

Rights for persons with deafblindness:

- Rehabilitation Council of India shall mandate training on deafblindness rights for: Panchayati Raj Members, legislators, administrators, police officials, judges and lawyers.
- They shall induct disability including deafblindness as a component in all education courses for schools, colleges and university teachers, doctors, nurses, para-medical personnel, social welfare officers, rural development officers, etc.
- Capacity building programmes, including training in independent living and community relationships, shall be held for families, members of community and other stakeholders, and care providers.
- Sports instructors will undergo training to ensure the inclusion of individuals with disabilities, including deafblindness.
- A need-based analysis and planning process for the recruitment, induction, sensitization, orientation, and training of personnel on deafblindness will be conducted every five years.
- Government shall plan to advance the promotion of teaching and research in deafblind studies, including the establishment of study centers.

INDEPENDENT LIVING



Senthil, a deafblind man, along with his wife and two children, successfully operates his shop, displaying remarkable independence

Reference:
Section 9



RPWD Act, 2016

Reference:
Article 23



UNCRPD

Rights for persons with deafblindness:

- Government shall take effective and appropriate measures to eliminate discrimination against persons with deafblindness regarding marriage, parenthood, family and relationships.
- They should be given the same rights as everyone else when it comes to decisions related to guardianship, wardship, trusteeship, and adoption of children. They should not be left out or excluded from these decisions.
- They have the right to choose how many children they want to have and how far apart they want to have them, as well as to be able to access information relevant to their age, and education on family planning and reproduction.
- Children with deafblindness should have equal rights with respect to family life, and receive early and comprehensive information, services and support to them and their families.
- Children should not be separated from their parents against their will, except when such separation is necessary for the best interests of the child, and in no case on the basis of a disability of either the child or one or both of the parents.
- Alternative care for a child with deafblindness should be sought first within their immediate family, and failing that, within the community in a family setting.
- In exceptional cases, they may be placed in a shelter home run by government or non-governmental organizations.

JUSTICE



A woman with megaphone in one hand and protesting with another seeking justice against discrimination

Reference:
Section 12



RPWD Act, 2016

Reference:
Article 13 & 29

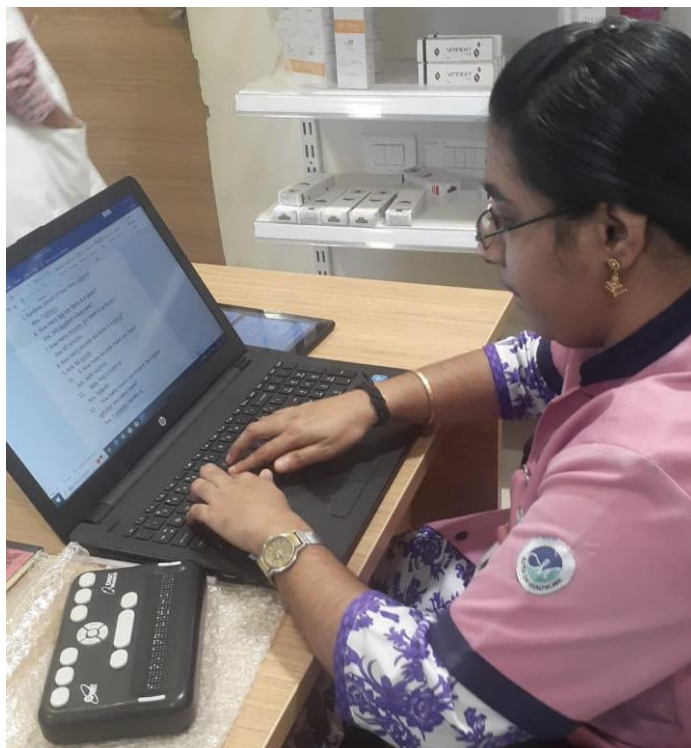


UNCRPD

Rights for persons with deafblindness:

- The act mandates the Government to ensure equal access to justice without discrimination for persons with deafblindness.
- They must have the opportunity to appear as witnesses, or otherwise participate, in legal proceedings.
- Priority shall be given to those who do not live with family and are in need of a legal decision.
- Trainings shall be held for people working in the administration of justice, including police and prison staff for inclusion of deafblindness.
- It is imperative to implement appropriate support measures for individuals with deafblindness who live alone or have high support needs to ensure their ability to exercise their legal rights.
- The Government must ensure that all public documents are accessible and necessary equipments are provided for filing, storing, and referencing these documents.
- Facilities shall be provided to allow people with deafblindness to record their testimonies, opinions, and arguments in their preferred language and mode of communication.
- The also mandates the government to promote appropriate training for those working in the field of administration of justice including lawyers, police, court staff and prison staff.
- All the infrastructure including court premises shall be made accessible for persons with deafblindness.

KNOWLEDGE AND ACCESSIBILITY



Shishna, a young woman with deafblindness, operating a laptop with the use of a refreshable braille device

Reference:
Section 40-46



RPWD Act, 2016

Reference:
Article 9



UNCRPD

Rights for persons with deafblindness:

- Government shall take necessary steps to provide equal access to physical environments, transportation, technology and communication services, and other public services for individuals with deafblindness.
- These measures should apply to buildings, roads, indoor and outdoor spaces, public services and information, communications technology, and emergency services.
- Private sectors should take into account all aspects of accessibility for persons with deafblindness.
- Information and communication to be fully accessible for people with deafblindness in print, braille, large font. PwDb should be provided access to electronic media by providing close captions, audio description, sign language, color contrast etc.
- Government to ensure production and distribution of universally designed accessible technology for deafblind - e.g. , refreshable braille display, smart phones, hearing aids etc.
- Accessible roads shall be provided to foster personal mobility.
- Facilities such as accessible parking spaces, toilets, and ticketing counters and machines at bus stops, railway stations, and airports shall be provided to ensure accessibility.
- Transportation must comply with accessibility standards. Older modes of transportation should be evaluated for safety and accessibility, and modifications should be made whenever possible without significant structural changes.
- All building projects must comply with the accessibility standards set by the Central Government in order to receive building approval and an occupancy certificate. Current buildings to be made accessible within 5 years from the date act is enforced.
- Government and local authorities shall create a plan of action to make essential services such as health centers, hospitals, schools, railway stations, and bus stops accessible.

LEGAL CAPACITY



Hands of a girl building a home with large multi-colored building blocks

Persons with deafblindness have equal rights to own a home and inherit property



Reference:
Section 13
RPWD Act, 2016

Rights for persons with deafblindness:

- All persons with deafblindness have the same right as other persons to own and inherit property, control their finances and have access to loans and other credits.
- They have the same legal capacity as any other person before the law.
- If a conflict of interest arises between a support person and a person with deafblindness in financial, property or economic matters, the support person must not provide assistance.
- A deafblind individual has the right to change, modify, or discontinue their current support and seek alternative support.
- Family members/caregiver/legal guardian who are supporting the person with deafblindness should not have influence over them. The privacy and dignity of people with deafblindness should be respected.
- Persons with deafblindness also have dreams to have their own house, a car or get married; they have the right to fulfill their dreams legally with supported decision making, if required.

MONITORING & IMPLEMENTATION

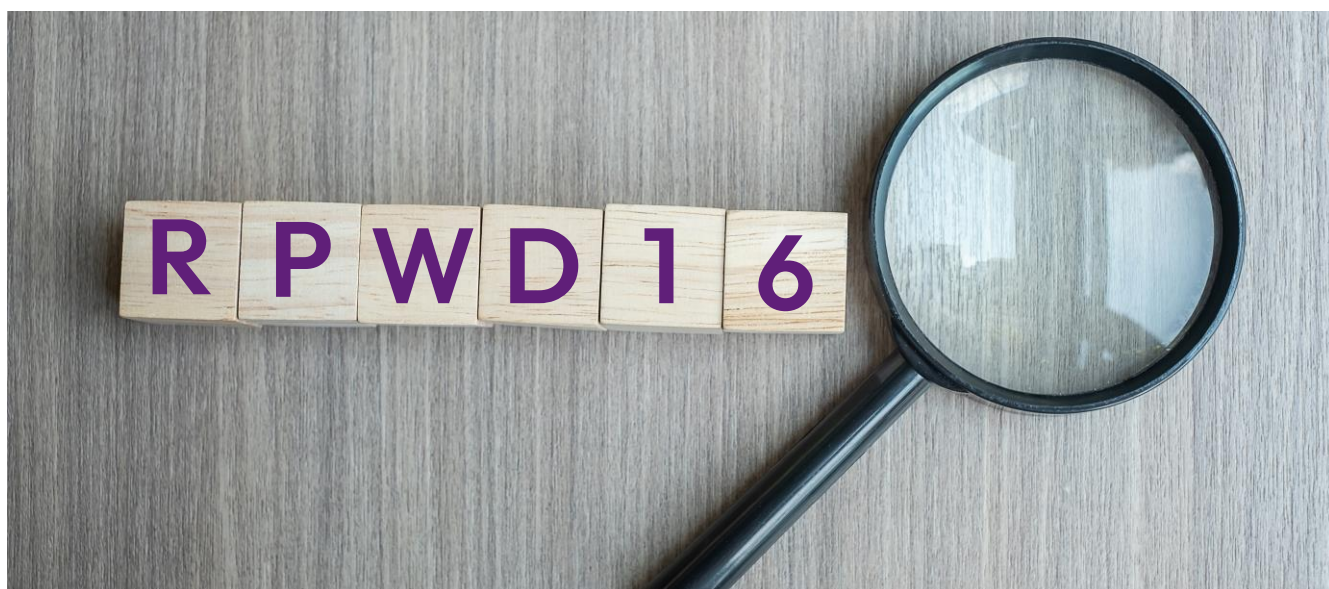


Image shows a magnifying glass depicting monitoring and implementation of the RPWD Act, 2016 for persons with disabilities

We have to keep checking RPWD Act is implemented properly.



Reference:
Section 48, 60 - 88
RPWD Act, 2016

Right to have appropriate schemes:

- Government shall conduct a social audit (checking proper implementation) of all general schemes and programmes that involve people with deafblindness.
- The audit should evaluate the impact the schemes and programmes have on the persons with deafblindness.
- The audit should also assess their compliance to the needs and concerns of the persons with deafblindness.
- For better monitoring and implementation of the Act, it mandates the government to form the below government bodies to review policy, legislation and program with respect to disability and address concerns related to disability.
 - Central Advisory Board
 - State Advisory Board
 - Chief commissioner of PWD
 - State Commissioner of PWD
 - District Level Committee
- Advisory boards to meet once in every 6 months to advise the central and state government on policies, legislation and program with respect to deafblindness.
- State government to establish special courts for speedy trials for person with disability including deafblindness. These courts should be established in every district of the state.
- The Chief Commissioner is mandated to coordinate the work of the State Commissioners for Persons with Disabilities including deafblindness, monitor utilization of funds disbursed by the Central Government and take steps to safeguard the rights and facilities made available to the persons with deafblindness.

NON DISCRIMINATION



Shruti equally engaging in recreational activities with her colleagues in a team meeting (the young woman in blue)



Reference:
Section 3
RPWD Act, 2016

Rights for persons with deafblindness:

- The government must ensure that persons with deafblindness enjoy the right to equality, life with dignity and respect for his or her integrity equally with others.
- No person with deafblindness shall be discriminated against on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.
- No person shall be deprived of his or her personal liberty only on the ground of disability including deafblindness.
- The act mandates the Government to take action to provide appropriate support for individuals with deafblindness.
- It also requires the Government to create a supportive environment that allows individuals with deafblindness to reach their full potential.

OFFENSES & PENALTIES



Man handcuffed for violating law indicating offender getting penalised

Reference:

Section 6, 7 & 92



RPWD Act, 2016

Reference:

Article 17



UNCRPD

Punishment for offences of atrocities against persons with deafblindness:

- Any intentional act of abuse, insult, discrimination or exploitation towards children and adults with disability is punishable by law with fine and imprisonment from 6 months to five years.
- Intentionally insulting or intimidating in public – imprisonment of minimum 6 months, maximum 5 years and a fine
- Assaulting/using force against a person with deafblindness – imprisonment of minimum 6 months, maximum 5 years and a fine
- Denying food/fluids under charge or control – imprisonment of minimum 6 months, maximum 5 years and a fine
- Exploiting a woman with deafblindness with the intention to dominate her position – imprisonment of minimum 6 months, maximum 5 years and a fine
- Injuring/damaging/interfering with the use of any limb or sense – imprisonment of minimum 6 months, maximum 5 years and a fine
- Termination of pregnancy of a woman with deafblindness without her express consent – imprisonment of minimum 6 months, maximum 5 years and a fine
- If a company commits a violation under this law, all people in charge of the company will be responsible for the violation and punished accordingly, unless it can be proven that they did not know about the violation or they did take reasonable steps to prevent it.

Punishment for violating provisions of the Act, rule or regulations:

- First contravention: Fine up to Rs. 10,000
- Subsequent contravention: Fine of at least Rs. 50,000, up to Rs. 5 lakh

Punishment for fraudulently availing any benefit meant for persons with benchmark disabilities:

- Imprisonment for a term which may extend to two years
- Fine up to a maximum of 1 lakh rupees
- Both imprisonment and fines can be applied

Punishment for failure to furnish information:

- Failure to produce or furnish statements, information or particulars as required by law can be punished with a fine up to 25,000 rupees
- Continual failure or refusal to comply with the law can further be punished with 1,000 rupees for each day of continued failure or refusal
- The punishment applies to books, accounts, statements, information, particulars, and questions that must be answered in accordance with the provisions of the law

PROTECTION



Alice, a young girl with deafblindness learning self defense to protect herself, with her mother

Reference:
Section 6, 7 & 92



RPWD Act, 2016

Reference:
Article 17

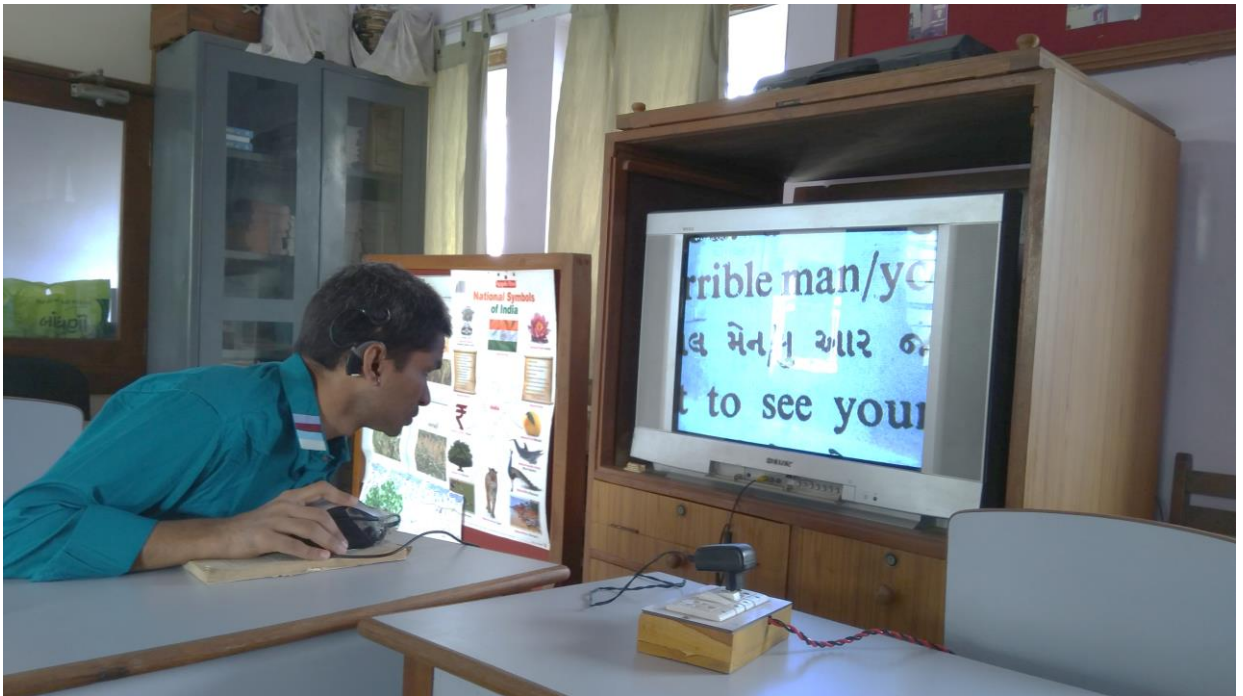


UNCRPD

Rights for persons with deafblindness:

- Every person with deafblindness, has a right to the protection of their physical and mental integrity.
- They must be treated on an equal basis with respect and dignity.
- No person should be subjected to any form of discriminatory or unjust treatment.
- Respect for the physical and mental integrity must be upheld.
- Adequate protection should be provided against discrimination, neglect, and abuse.
- Measure shall be taken to protect deafblind individual from torture, cruel, violent, inhuman and degrading treatment.
- No person with disability including deafblindness should be used in research without their free and informed consent that is obtained using accessible modes, means and formats of communication.
- If anyone thinks that a crime has been, is being, or might be committed against a person with deafblindness, they can report it to the local Executive Magistrate.
- The Executive Magistrate shall act promptly to put a halt to this situation and make arrangements to save the victim. They shall ensure the victim is placed in a safe environment and receive the necessary support for their recovery.
- The police officer must inform the aggrieved person with deafblindness of their right to apply for protection, their right to free legal aid, their right to file a complaint through the Act or another law dealing with such an offence.
- No one can be sued, prosecuted or taken through a legal proceeding for something done in good faith under this act.

QUALIFICATION



Raj accessing computer with support of screen magnifier. Persons with deafblindness can equally contribute for a job if they are provided reasonable accommodation.

Reference:

Section 20-23 & 33 -36



RPWD Act, 2016

Reference:

Article 27



UNCRPD

Rights for persons with deafblindness:

- No employer can discriminate a person with deafblindness for employment or deny promotion on grounds of disability.
- Barrier free accessible environment should be provided for the persons with deafblindness.
- If a person acquires deafblindness while in service, he/she cannot be given lesser rank. In case he/she is no longer suitable for the same task, they should be transferred to suitable department with same pay roll.
- Government shall identify posts for each category of persons with benchmark disability. The identified posts should be in consultation with representatives of PwDb of each categories. The posts identified should be reviewed every three years.
- Since deafblindness is counted under multiple disability, one percent reservation for multiple disability, autism and intellectual disability also includes for deafblindness.
- Private sector employer should ensure that atleast 5% of their posts are filled by persons with benchmark disabilities including deafblindness.
- Persons with disabilities shall be prevented from experiencing slavery, involuntary servitude, or forced labor.

RECREATION & REHABILITATION



Pinky, a women with deafblindness (in the middle) enthusiastically learning to cook

Reference:

Section 27, 29 & 30



RPWD Act, 2016

Reference:

Article 26



UNCRPD

Rights for persons with deafblindness – Government should:

- Provide facilities, support and sponsorships to artists and writers with deafblindness.
- Make art accessible to them.
- Promote recreation centers and other associational activities.
- Facilitate participation in scouting, dancing, art classes, outdoor camps and adventure activities.
- Redesign courses in cultural and arts subjects to enable participation and access for persons with deafblindness.
- Develop technology, assistive devices and equipment to facilitate access and inclusion for persons with deafblindness in recreational activities.
- Ensure that persons with hearing impairment can access television programs with sign language interpretation or subtitles.
- The government must implement measures to facilitate the active participation of individuals with deafblindness in sports activities.
- Efforts shall be made to improve and enhance the infrastructure facilities for sports activities for individuals with deafblindness.
- It is crucial that all sporting activities offer multi-sensory essentials and features in order to accommodate and encourage the full participation of individuals with disabilities.
- It is crucial that individuals with disabilities have access to habilitation and rehabilitation services and programs to empower them to attain independence, maximize their physical, mental, social, and vocational potential, and fully participate in all facets of society.
- Rehabilitation services and programs, including health, education, and employment opportunities, shall be provided to individuals with deafblindness. These must be provided with consideration of the individual's economic capacity and overall development.

SOCIAL SECURITY & HEALTHCARE



Professional medical doctor consulting patient depicting healthcare to be accessible for persons with deafblindness

Reference:

Section 24-26 & 37



RPWD Act, 2016

Reference:

Article 25



UNCRPD

Rights for persons with deafblindness:

- Schemes and programmes to safeguard and promote the right of persons with deafblindness for adequate standard of living shall be formulated.
- Quantum of assistance for persons with disabilities should be at least 25% higher than the similar schemes applicable to others.
- Programs should offer resources such as community centers, disaster and conflict support, access to clean water, assistive devices and corrective surgery, disability pension, unemployment benefits, care-giver support, and comprehensive insurance coverage.
- Government to take steps to ensure barrier free access for person with deafblindness in private or public hospitals and have access to free or affordable healthcare service in both urban and rural area. Government should also promote various methods of preventing disabilities.
- Measures must be taken for pre-natal and post-natal care, healthcare during natural disasters and other situations of risk.
- Essential medical facilities for life saving emergency treatment and sexual and reproductive healthcare should be provided, especially for women with deafblindness.
- No discrimination shall be allowed in providing health insurance or life insurance.
- Health care, services and food must not be denied on the basis of disability.
- The government will implement insurance programs for employees with disabilities to ensure their financial security and well-being. A notification will be issued with the details of the insurance scheme, which will cover expenses related to the employee's disability.

TECHNOLOGY, AIDES & APPLIANCES



Refreshable Braille display - A vital technology aid for persons with deafblindness



Reference:
Section 42-46
RPWD Act, 2016

Rights for persons with deafblindness:

- Information and communication technology (ICT) includes a range of digital technologies used to process, store, transmit, and manage information.
- Making ICT accessible to persons with deafblindness means designing, developing, and deploying technologies that allow them to access and use them effectively.
- Common accessibility features for persons with deafblindness include alternative input and output methods, captioning and audio descriptions, sign language interpretation, tactile graphics and haptic feedback, and assistive technology and software.
- Contents in all forms of media (audio, print, electronic) must be available in accessible formats.
- Electronic goods and equipment meant for everyday use must include universal design.

UNIVERSAL DESIGN FOR ACCESSIBILITY



Railway Station with a board mentioning availability of a wheel chair

Reference:

Section 40 - 46



RPWD Act, 2016

Reference:

Article 9



UNCRPD

Rights for persons with deafblindness:

- The Central Government shall create rules to ensure accessibility of physical environment, transportation, information and communications, appropriate technologies and systems, and public facilities and services for persons with deafblindness in urban and rural areas.
- Measures shall be taken to provide facilities at bus stops, railway stations and airports, conforming to accessibility standards.
- Access to all modes of transport, including retrofitting old modes of transport, shall be provided.
- Accessible roads to address mobility needs shall also be provided.
- Government should promote development, production and distribution of products and accessories of universal design for general use of persons with deafblindness.
- Provide forms of live assistance and intermediaries, like guides, readers, and interpreters, to facilitate accessibility to public buildings and facilities.
- No permission to build any structure shall be provided unless building plan adheres to all the accessibility norms.
- No certificate of completion or permission shall be given to take occupation of building unless it adheres to rules formulated by Central Government.
- Provide Braille and easy-to-read signage.

VOTING



Election commission officials explaining the whole voting process to participants including parents, children and adults with Deafblindness



Reference:
Section 11

RPWD Act, 2016

Participation in Political & Public Life:

- Election Commission of India and State Election Commissions must ensure that polling stations are accessible to people with deafblindness.
- Materials related to the electoral process shall be made easy to understand and accessible.
- Ensure they can participate in political and public life on an equal basis with others.
- Protect the right of persons with deafblindness to vote by secret ballot without intimidation.
- Facilitate access to assistive and new technologies.
- Promote an environment conducive to participation in public and political affairs, free from discrimination.
- Encourage persons with deafblindness to participate in NGOs, political parties, and other organizations at all levels.

WOMEN & CHILDREN WITH DEAFBLINDNESS



Young girls and women with deafblindness actively participating in Pinkathon Marathon

Reference:
Section 7



RPWD Act, 2016

Reference:
Article 4

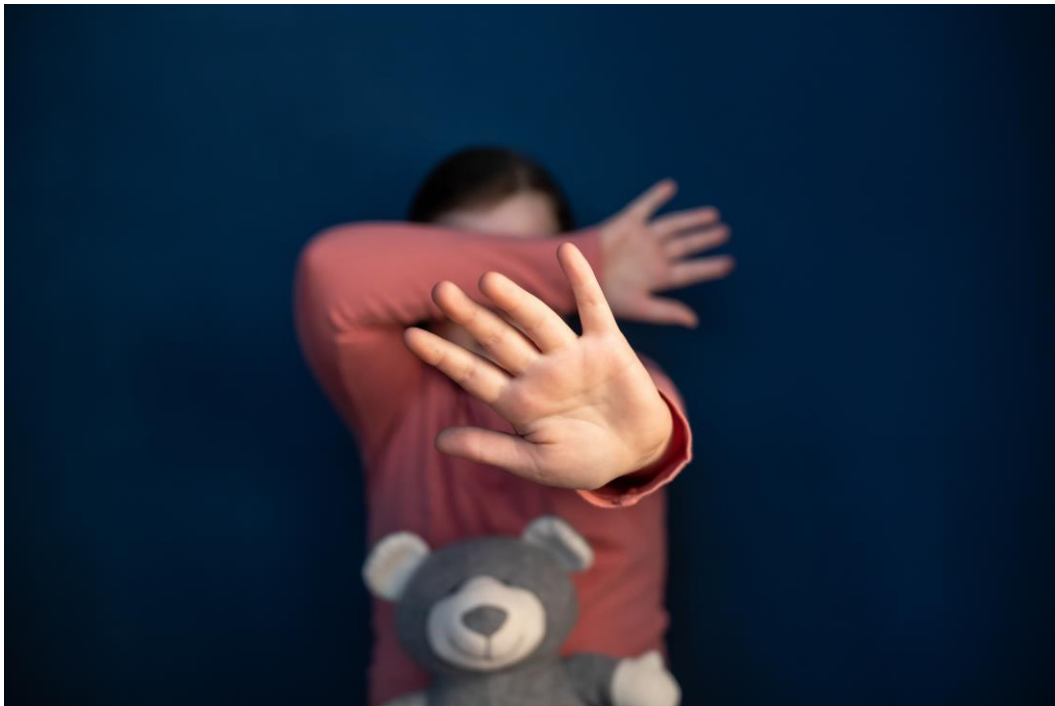


UNCRPD

Rights for persons with deafblindness:

- Government and local authorities shall take measures to ensure that women and children with deafblindness have equal rights.
- All children with deafblindness shall have equal right to freely express their views and be provided appropriate support, taking into account age and disability.
- Every action concerning children with deafblindness must take into account the best interests of the child.
- The act mandates the Government to provide appropriate assistance to ensure children with deafblindness can realize this right.

XPLOITATION



Little deafblind girl, sitting in a dark room, depicting to protect herself from exploitation

Reference:

Section 6, 7 & 92



RPWD Act, 2016

Reference:

Article 17



UNCRPD

Rights for persons with deafblindness:

- Measures shall be taken to protect persons with deafblindness from being subjected to torture, cruel, inhuman or degrading treatment.
- They are not to be subject to any research without their free and informed consent obtained through accessible modes, means, and formats.
- They shall be protected from all forms of abuse, violence and exploitation and measures shall be taken to prevent the same.
- These measures include taking cognizance of incidents of abuse and providing legal remedies against them, taking steps to avoid such incidents, prescribing reporting procedures, and creating awareness and providing information among the public.
- Every person with deafblindness has a right to respect for his or her physical and mental integrity on an equal basis with others.
- For any research on disability, a committee must be constituted with permission from the appropriate Government, in which at least half of the members must be with disability or from a registered organization working on disability.

YOUR ROLE



Asha, a young girl with deafblindness being honored by Director UN Statics in Bern, Switzerland for raising her voice about the lack of data on deafblindness



RPWD Act, 2016



UNCRPD

Know your rights, understand them and learn to voice your needs.

- If you're a part of the deafblind community, it's important to know your rights and not be afraid to assert them.
- Educate yourself on the laws and regulations that affect your everyday life and build a network of support so that you can speak up when needed.
- With knowledge comes courage, and the confidence to demand respect for your rights.
- Take it a step further and create a ripple effect by raising awareness about deafblindness and inspiring those around you to do the same.
- You have the power to shape the future; be the catalyst of growth, and empower yourself and those around you to create a more equitable and just world.
- You have the power to change the world and make a difference, so take the first step by being the change yourself.

ZEST FOR LIFE



Shruti, a determined individual with deafblindness, triumphantly living her life, overcoming all obstacles associated with her condition



RPWD Act, 2016



UNCRPD

“A person who is severely impaired never knows his hidden sources of strength until he is treated like a normal human being and encouraged to shape his own life.” – Helen Keler

To all those individuals who are affected by deafblindness, remember that you possess hidden sources of strength that you may not even be aware of.

Despite the challenges and limitations that you face, you have the capacity to shape your own life, to pursue your passions, and to achieve your goals.

Do not let your impairment define you or hold you back, for when you are treated as a normal human being and encouraged to realize your full potential, you will discover a strength within yourself that is truly remarkable.

Keep striving, keep believing in yourself, and never give up on your dreams.

Afterword

We hope that this guide to the Rights of Persons with Disabilities Act, 2016 has been a helpful resource for persons with deafblindness and their allies. The passing of this landmark legislation was a major step forward in ensuring that all persons with deafblindness are awarded the basic human rights and dignities that they deserve.

With this simple and straightforward guide, we have helped to empower individuals with deafblindness to better understand their rights and advocate for themselves.

We also hope that this book has served as a valuable resource for allies and advocates who seek to better understand the issues faced by persons with deafblindness in India. By raising awareness and promoting understanding, we can work together to create a more inclusive and equitable society for all.

Scan the QR Codes below to know more about the RPWD Act.



RPWD Act in Sign Language
(YouTube Video)



RPWD Act in Hindi

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