

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A

Bill

further to amend the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (Ordinance No. XL of 1981)

Whereas it is expedient further to amend the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (Ordinance No. XL of 1981) for the purposes hereinafter appearing;

It is hereby enacted as under:

1. **Short title and commencement.**--(1) This Act may be called the Disabled Persons Employment and Rehabilitation (Amendment) Act, 2014.

(2) It shall come into force at once.

2. **Insertion of new section Ordinance XL of 1981.**- In the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981 (No. XL of 1981) hereinafter referred to as the said Ordinance, after section 10, the following new section shall be inserted, namely:-

“10A. Amending of or making of by laws on building access.- (1) Notwithstanding anything contained in this Ordinance or any other law for the time being in force, the government shall make laws to approve construction plans of the new public and privately owned but used by public buildings only if they have adequate provision in design to ensure effective access to wheelchair and other assisted modes used by the persons with disabilities.

(2) It shall be mandatory for all the government organizations to phase in necessary changes in the existing buildings for the effective access to the disabled persons in public offices housed in such public and private buildings.

(3) The government shall make necessary statutory and regulatory frameworks to phase in necessary changes in the existing buildings housing offices of publicly listed companies for the effective access to the disabled persons.

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

“(2) Notwithstanding anything contained in this Ordinance or any other law for the time being in force, if any person misapplies or misuses this Ordinance to fraudulently grant or

convey the employment and other rights created and conferred by this Ordinance or any other law, rule or regulation to a person who does not qualify to be granted such right, the person so granting or receiving the right shall be punishable for committing fraud and such persons shall be liable to be tried under the Pakistan Penal Code, 1860 and shall be punishable to undergo rigorous imprisonment not lesser than three months and not more than two years.

STATEMENT OF OBJECTS AND REASONS

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

It is also the factual position that to make the disabled persons effective and inclusive part of the society the private sector shall also provide employment to such person.

There is also growing evidence that the legal provision was being abused and people who were not qualified to be called as disabled were getting the benefit of law reserved for disabled person.

The bill will expand the scope of the law to make physical access easy for the disabled persons, include private sector for job provision, and to make the misuse of law punishable.

Sd/-

**Ms. Tahira Aurangzeb,
Member, National Assembly.**