

**GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

UNSTARRED QUESTION NO:407

ANSWERED ON:25.11.2014

UN CONVENTION ON DISABILITIES

Basheer Shri E. T. Mohammed;Tharoor Dr. Shashi

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

(a) whether the present legislation on disabilities do not include a number of provisions from the UN Convention on the Rights of Persons with Disabilities that India has ratified, particularly those relating to contracts and owning of property by those with mental disabilities and if so, the details thereof;

(b) whether the Government proposes to amend the Persons with Disabilities, Equal Opportunities, Protection of Rights and Full Participation Act, in accordance with the provisions of the United Nations Convention on Rights of Persons with Disabilities; and

(c) if so, the details thereof?

Answer

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT (SHRI KRISHANPAL GURJAR)

(a) The Persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995, while containing provisions for empowerment of persons with disabilities in term of UN Convention on the Rights of Persons with Disabilities, it does not provide specific provisions for legal capacity, appointment of legal guardian for person with disabilities etc. as required under the said Convention.

(b) & (c) With a view to harmonize the Persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995 in line with UN Convention on the Rights of Persons with Disabilities, the Government has introduced the Rights of Person with Disabilities Bill, 2014. The Bill has been referred to Parliamentary Standing Committee for examination and report.