

A

Bill

*further to amend ICT Rights of Persons with Disability Act, 2020*

**Whereas** it is expedient further to amend the ICT Rights of Persons with Disability Act 2020 (XXXV of 2020) for the purposes hereinafter appearing;

It is hereby enacted as follows: -

**1. Short title and commencement.** - (1) This Act may be called the ICT Rights of Persons with Disability (Amendment) Act, 2024.

(2) It shall come into force at once.

**2. Substitution of Section 9, Act, XXXV of 2020.** - In the ICT Rights of Persons with Disability Act, 2020 (XXXV of 2020), for section 9 the following shall be substituted, namely:-

**"9. Right to Inclusive Education-** (1) The Government shall take all measures to ensure that all educational institutions funded or recognized by government provide inclusive education to the children with disabilities and towards that end shall:

(i) admit them without discrimination and provide free pre-primary to higher education and opportunities for sports and recreation activities equally with others:

Provided that it shall be illegal for any public or private institution and its staff members to deny admission to such persons or to discriminate against or otherwise violate rights of a person with disability at his place of education for which both the institution and such violating person shall be punished;

(ii) make building, campus and various facilities accessible in public and private institutions to such persons;

(iii) provide necessary support individualized or otherwise in environments that maximize academic and social development consistent with the goal of full inclusion;

(iv) ensure that the education to persons who are blind or deaf or both is imparted in the most appropriate languages and modes and means of communication;

- (v) provide transportation facilities to the children with disabilities and also the attendant of the children with disabilities having high support needs;
- (vi) to conduct survey of school going children in every five years for identifying children with disabilities, ascertaining their special needs and the extent to which these are being met:

Provided that the first survey shall be conducted within a period of two years from the date of commencement of this Act;
- (vii) to establish adequate number of teacher training institutions;
  - (a) to train and employ teachers, including teachers with disability who are qualified in sign language and Braille and also teachers who are trained in teaching children with intellectual disability;
  - (b) to train professionals and staff to support inclusive education at all levels of school education;
  - (c) to establish adequate number of resource centers to support educational institutions at all levels of school education;
  - (d) to promote the use of appropriate augmentative and alternative modes including means and formats of communication, Braille and sign language to supplement the use of one's own speech to fulfil the daily communication needs of persons with speech, communication or language disabilities and enables them to participate and contribute to their community and society;
- (viii) to provide books, other learning materials and appropriate assistive devices to students with benchmark disabilities free of cost up to the age of eighteen years;
- (ix) to provide scholarships in appropriate cases to students with benchmark disability;
- (x) to make suitable modifications in the curriculum and examination system to meet the needs of students with disabilities;

- (xi) to promote, protect and ensure participation of persons with disabilities in adult education and continuing education programmes equally with others;
- (xii) to impart exclusive skill training programmes for persons with disabilities with active links with the market, for those with developmental, intellectual, multiple disabilities and autism; and
- (xiii) to arrange for maintenance of disaggregated data on the progress made in the skill training and self-employment, including persons with disabilities.

(2) Government shall formulate schemes and programmes including provision of loans at concessional rates to facilitate and support employment of persons with disabilities especially for their vocational training and self-employment as well as devise policies for the inclusion of person with disability in all mainstream formal and non-formal vocational and skill training schemes and programmes."

### **STATEMENT OF OBJECTS AND REASONS**

Inclusion is anchored on the fundamental human right to education for all promulgated in the 1948 Universal Declaration of Human Rights. 1 The United Nations Convention on the Rights of Persons with Disabilities (CRPD), Pakistan is a signatory of this Convention since 2011. While Pakistan has taken vital steps to advance the right to education through the provision of free and compulsory education for children aged 5-16,<sup>11</sup> the government needs to give utmost attention to improving the quality of education, including reforming curriculum, increasing the capacity of teachers and improving the governance mechanisms in the education sector. **These challenges impact marginalized groups of children the most, including those with disabilities**, who are experiencing difficulties in accessing schools and lack access to relevant learning materials, information and adequately staffed services.

One of the biggest challenges being faced by our students with disabilities is the restrictive learning environment in separate schools allocated for them in our country. They remain socially, emotionally and psychologically detached from normal students and society. By including them in a regular school the children with disabilities have shown to be more confident and display qualities of self-efficacy. Better social skills and communication: Social skills are learnt just through observation and imitation.

The purpose of this bill is to enable the students with special needs to receive their education in the least restrictive setting. The bill requires public and private schools to create the setting that educates them appropriately and assures their safety and the safety of others in the school. Such students should, where possible be taught in classes with staff trained to deal with their individual disability needs and capabilities so they learn at a level they can cope with, all students should be able to mix at break times, this could be seen as part of the education of both able bodied and disabled students as they learn to accept each other as people regardless of the differences in abilities, they all have to live in the world so need to know and learn how to get on together in it, this would also help prevent the prejudice there can be against people with disabilities that can exist and help make disabled young people included rather than isolated.

Through inclusion of these students in National Vocational Training Programs, they would also get a chance to economically empower them and become a more productive component of our skilled population.

The bill has been designed to achieve the aforementioned purpose:

**SENATOR DR. ZARQA SUHARWARDY TAIMUR  
MEMBER-IN-CHARGE**