



# THE DISABLED PERSONS (EMPLOYMENT AND REHABILITATION) ORDINANCE, 1981



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**THE DISABLED PERSONS (EMPLOYMENT AND REHABILITATION) ORDINANCE,  
1981.**

ORDINANCE No. XL OF 1981

[29th December, 1981]

**An Ordinance to provide for the employment, rehabilitation and welfare of disabled persons.**

WHEREAS it is expedient to provide for the employment rehabilitation and welfare of disabled persons and for matters connected therewith.

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to make immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977, read with the Provisional Constitution Order, (C.M.L.A. Order No.1 of 1981) 1981, and in exercise of all powers enabling him in that behalf, the President to make and promulgate the following Ordinance :-

**1. Short title, extent and commencement.**— (1) This Ordinance may be called the Disabled Persons (Employment and Rehabilitation ) Ordinance 1981.

(2) It extends to the whole of Pakistan.

(3) It shall come into force on such <sup>1</sup>day as the Federal Government may, by notification in the official Gazette, appoint.

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

- (a) "Chairman" means the Chairman of the National Council or, as the case may be, the Provincial Council;
- (b) "commercial establishment" and "industrial establishment" shall have the same meaning as in the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 (W.P. Ordinance No. VI of 1968).
- (c) "disabled person" means a person who, on account of injury, disease or congenital deformity, is handicapped for undertaking gainful profession or employment in order to earn his livelihood, and includes a person who is blind, deaf, physically handicapped or mentally retarded;

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<sup>1</sup> i.e., on the 28<sup>th</sup> April 1982, by S.R.O. 749(I)/82, dt. 28-4-1982, see Gaz., of P982, Ext., Part II, p. 1275.

- (d) "disease "includes the physical or mental condition arising from the imperfect development of any organ ;
- (e) "employee " means a regular or whole-time employee whether employed on daily weekly or monthly basis, and includes an apprentice;
- (f) "establishment" means a Government establishment, a commercial or an industrial establishment, in which at any time during a year is not less than one hundred ;
- (g) "Fund " means the Rehabilitation of Disabled Persons Fund established under section 17 ;
- (h) "Government establishment " includes any autonomous or semi-autonomous body, university, college, professional school and any organization controlled or managed by the Federal Government or a Provincial Government ;
- (i) "National Council" means the National Council established under section 3 ;
- (j) "prescribed " means prescribed by rules made by the Federal Government or, as the case may be, the Provincial Government ;
- (k) "Provincial Council " means a Provincial Council established under section 5 ; and
- (l) "Secretary " means the Secretary of the National Council or, as the case may be, the Provincial Council.

**3. National Council.**— The Federal Government shall, by notification in the official Gazette, establish a Council to be called the National Council for the Rehabilitation of Disabled Persons consisting of the following members, namely :—

- (a) the Secretary, Ministry of Health and Social Welfare, who shall also be its Chairman ;
  - (b) One representative each of the three Armed Forces ;
  - (c) One representative of the Manpower Division ;
  - (d) One representative of the Labour Division ;
  - (e) One representative of the Health Division ;
  - (f) One representative of the Education Division ;
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- (g) One representative of the Communications Division;
- (h) One representative of the Ministry of Water and Power;
- (i) One representative of the Ministry of Petroleum and Natural Resources ;
- (j) One representative of the Industries Division ;
- (k) One representative of the Planning Division ;
- (l) a nominee of the Administrator-General Zakat ;
- (m) four persons to be nominated by the Federal Government from amongst the persons engaged in the welfare of disabled persons ;
- (n) one representative of the National Council of Social Welfare ;
- (o) one representative of the registered trade unions, to be nominated by the Labour Division ; and
- (p) the Deputy Secretary, Health and Social Welfare Division dealing with social welfare, who shall also be the Secretary of the National Council.

**4. Functions of the National Council.**— (1) Subject to any directions given by the Federal Government, the National Council shall-

- (a) formulate policy for the employment, rehabilitation and welfare of the disabled persons ;
- (b) evaluate, assess and co-ordinate the execution of its policy by the Provincial Councils ; and
- (c) have overall responsibility for the achievement of the purposes of this Ordinance.

(2) Without prejudice to the generality of the provisions of sub-section (1) the policy may relate to—

- (a) the survey of the disabled persons in the country who are desirous of being rehabilitated ;
- (b) the medical examination and treatment of the disabled persons ;
- (c) the providing of training to the disabled persons ;
- (d) the taking of such other measures as are necessary for carrying out the purposes of this Ordinance.

**5. Provincial Councils.** Each Provincial Government shall by notification in the official Gazette, establish a Council to be called the Provincial Council for the Rehabilitation of Disabled Persons consisting of the following members, namely :

- (a) the Secretary, Social Welfare Department, who shall also be its Chairman ;
- (b) the Secretary, Labour Department ;
- (c) one representative of the Planning and Development Department ;
- (d) one representative of the Manpower Department ;
- (e) one representative of the Health Department ;
- (f) one representative of the Education Department ;
- (g) one representative of the Communications Department ;
- (h) one representative of the Water and Power Department ;
- (i) one representative of the Chamber of Commerce ;
- (j) Chief Administrator of Zakat ;
- (k) one representative of the Social Welfare Council ;
- (l) one representative of the Social Services Board ;
- (m) one representative of the registered Trade Unions to be nominated by the Labour Department ;
- (n) four persons nominated by the Provincial Government from amongst the persons engaged in the welfare Work of disabled persons ; and
- (o) Director, Social Welfare Department, who shall also be the Secretary of the Provincial Council.

**6. Functions of the Provincial Councils.** Subject to any directions given by the National Council the Provincial shall—

- (a) execute the Policy made by the National Council for the employment rehabilitation and welfare of the disabled persons ;
  - (b) undertake appropriate projects for these purposes ;
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