



drishti

## Issues Related to Persons with Disability

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### Introduction

- ❑ **Disability:** an umbrella term, covering:
  - Impairments
  - Activity limitations
  - Participation restrictions
- ❑ As per Census 2011, in India:
  - Out of the total population (121 Cr), about 2.68 Cr persons are 'Disabled' (2.21% of the total population)
  - Majority (69%) of the disabled population resided in rural areas

### Constitutional Frameworks for Disabled in India

- ❑ **Article 41** of (DPSP) states that State shall make effective provision for securing right
  - to work
  - to education
  - to public assistance in cases of unemployment, old age, sickness and disablement, within the limits of its economic capacity and development
- ❑ The subject of '**relief of the disabled and unemployable**' is specified in **state list of the Seventh Schedule of the constitution**

### Right of Persons with Disabilities Act 2016: Key Provisions

- ❑ The Act replaces the Persons with Disabilities

## ***Issues Related to Persons with Disability***

(Equal Opportunities, Protection of Rights and Full Participation) Act, 1995

- ❑ Defined disability based on an evolving and dynamic concept
- ❑ The types of disabilities increased from 7 to 21. In addition, the Govt has been authorized to notify any other category of specified disability
- ❑ Quantum of reservation for people suffering from disabilities increased from
  - 3% to 4% in govt jobs and
  - 3% to 5% in higher education institutes
- ❑ Right to free edu. granted to every child with benchmark disability b/w the age group of 6-18 yrs
- ❑ Stress on ensuring accessibility in public buildings in a prescribed time frame along with Accessible India Campaign
- ❑ A separate National and State Fund created to provide financial support to persons with disabilities
- ❑ The New Act will bring our law in line UNCRPD, to which India is a signatory

## **Programmes/Initiatives for Disabled in India**

- ❑ **Accessible India Campaign:** Creation of Accessible Environment for PwDs
- ❑ Deen Dayal Disabled Rehabilitation Scheme
- ❑ Assistance to Disabled Persons for Purchase / fitting of Aids and Appliances (ADIP)
- ❑ National Fellowship for Students with Disabilities (RGMF)
- ❑ Schemes of the National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities

## **Issues and Challenges**

- ❑ **Health:** The health sector, especially in rural India, failed to react proactively to disability
- ❑ **Education:** Inclusion of children with mild to moderate disabilities in regular schools has remained a major challenge
- ❑ **Employment:** Despite being capable of productive work, disabled adults have far lower

- employment rates than the general population
- ❑ **Access:** Physical accessibility in buildings, transportation, access to services still remain a major challenge
- ❑ **Discrimination/Social Exclusion:** Differently-abled people face discrimination in everyday life
- ❑ **Inadequate Data and Statistics:** The lack of rigorous and comparable data and statics further hinders inclusion of persons with disabilities
- ❑ **Poor Implementation of Policies and Schemes:** Though various acts and schemes have been laid down with an aim to empower the disabled, their enforcement face many challenges

### Way Ahead

- ❑ **Prevention:** Preventive health programs need to be strengthened
- ❑ **Awareness:** Awareness campaigns; to educate and aware people about different kinds of disability
- ❑ **Employment:** Disabled adults need to be empowered with employable skills
- ❑ **Better Measurement:** The scale of disability in India needs to be better understood by improving the measurement of disability
- ❑ **Education:** Proper teacher training to address to the needs of differently-abled children and facilitate their inclusion in regular schools
- ❑ **Access:** It should be made legally binding to make buildings disabled-friendly
- ❑ **Policy Interventions:** More budgetary allocation for welfare of the disabled

