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Mains Practice Questions

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Q. According to the World Bank, one in every 12 households in India has a person living with a disability. In the light of this statement, discuss the steps taken by the government to protect the rights of disabled in India. Also, highlight the shortcomings of these measures. (150 words).

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Approach

- Introduce by enlisting percentage of population with disability in India
- Mention the schemes, policies, steps that government has taken to address concerns of disabled persons
- Discuss the challenges remaining

Introduction:

- One billion people, or 15% of the world's population, experience some form of disability, and disability prevalence is higher for developing countries.
- As per Census 2011, in India, out of the 121 Cr population, about 2.68 Cr persons are 'disabled' which is 2.21% of the total population.

Body:

Steps taken

India is a signatory to the '**Declaration on the Full Participation and Equality of People with Disabilities in the Asia Pacific Region**' (2000), '**UN Convention on the Rights of Persons with Disabilities**' (2008) and '**Biwako Millennium Framework**' (2002) for action towards an inclusive, barrier free and rights based society

- **The Rehabilitation Council of India Act, 1992:** The Council regulates and monitors the training of rehabilitation professionals and personnel and promotes research in rehabilitation and special education.
- **The National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999:** To enable and empower persons with disability to live as independently and as fully as possible within and as close to the community to which they belong.
- **Mental Healthcare Act 2017:** to protect, promote and fulfill the rights of mentally challenged during delivery of mental healthcare and services
- **The Rights of Persons with Disabilities Act 2016.**
 - The Act recognises 21 kinds of disabilities compared to the previous seven, including dwarfism, speech and language disability, and three blood disorders
 - It fulfills the obligations to the United National Convention on the Rights of Persons with Disabilities (UNCRPD), to which India is a signatory.
- **Other schemes:**

- Accessibility India campaign to ensure full access to public spaces for disabled people.
- National Action Plan for Skill development which aims to cover 2.5 million persons with disabilities by the year 2022 through various stakeholders.
- Deen Dayal Disabled Rehabilitation Scheme (DDRS)

Shortcomings:

The Rights of Persons with Disabilities Act 2016:

- The Bill strangely makes the clauses on non-discrimination in employment mandatory only in government establishments.
- It has provision of a chief commissioner and state commissioners. However, neither the commissioners nor any of the members of their advisory committees are required to be Persons with Disabilities
- **Mental healthcare act**
The Act recognizes mental illness as a clinical issue which can only be treated by medicines and clinical procedures. The important issue of prevention and promotion of mental well-being has been neglected.

Way Forward:

- Legislation alone is not enough; implementation remains abysmal. For instance, data from the National Centre for Promotion of Employment for Disabled People show that 84% of seats for persons with disabilities lie vacant in top universities.
- We must also keep in mind that a one-size-fits-all approach is unhelpful for disabled persons, Levels and types of disabilities differ and so do needs.
- If persons with disability are to be regarded as full citizens of India, their right to equal concern and respect must find its expression in the supreme law of the land.