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.