



Mains Practice Question

Q. Assess the implementation challenges of the Rights of Persons with Disabilities Act, 2016 and suggest measures to strengthen its effectiveness. **(150 words)**

18 Mar, 2025 GS Paper 2 Social Justice

Approach

- Introduce the answer by briefing about Rights of Persons with Disabilities (RPWD) Act, 2016
- Give me Implementation Challenges of the RPWD Act, 2016
- Suggest Measures to Strengthen the Effectiveness of the RPWD Act, 2016
- Conclude suitably.

Introduction

The **Rights of Persons with Disabilities (RPWD) Act, 2016** was enacted to replace the **Persons with Disabilities (PWD) Act, 1995**. It expanded the definition of disability from **7 to 21 categories**, emphasizing **dignity, non-discrimination, and inclusion**. However, despite its progressive provisions, **implementation challenges persist**, hindering the realization of its objectives.

Body

Implementation Challenges of the RPWD Act, 2016

- **Inadequate Resource Allocation**
 - The **Parliamentary Standing Committee (2022-23)** highlighted **suboptimal budget allocation** for disability programs.
 - The **budget for Schemes for Implementation of the RPWD Act (SIPDA)** increased by **less than 9% between 2016-17 and 2020-21**, despite the expansion of program components.
 - The **disability pension under the Indira Gandhi National Disability Pension Scheme** is only **₹300-500 per month**, insufficient given rising inflation.
- **Coordination Issues and Bureaucratic Hurdles**
 - **Poor inter-departmental coordination** has led to delays in implementing key provisions, such as ensuring accessible infrastructure and job reservations.
 - States fail to **submit Utilization Certificates (UCs) on time**, leading to delays in **central fund disbursement** for PwD welfare initiatives.
 - Many PwDs face challenges in obtaining a **Unique Disability ID (UDID)** due to **stringent documentation requirements and bureaucratic inefficiencies**.
- **Employment and Economic Marginalization**
 - Though the Act provides **4% reservation in government jobs**, only **34 lakh out of 1.3 crore employable PwDs** are in formal employment.
 - Many companies prefer to **pay fines** rather than comply with disability hiring norms.
 - The **informal sector** remains largely **unregulated**, offering little scope for PwDs'

economic inclusion.

- Lack of **skill development programs tailored for PwDs** under **Skill India** and **PMKVY** further limits their employability.

▪ **Barriers to Education and Healthcare**

- The **National Fellowship Scheme** is the only educational initiative meeting its targets, while other PwD education schemes remain **underfunded and stagnant**.
 - Many higher education institutions fail to provide **inclusive learning materials, assistive technologies, and accessible infrastructure**.
- **Healthcare challenges include:**
 - **Public health schemes (e.g., Ayushman Bharat)** not covering **rehabilitation services, assistive devices, or long-term disability care**.
 - **Mental healthcare services** for PwDs remain underdeveloped.

▪ **Societal Stigma and Discrimination**

- **Deep-rooted ableism** results in **social exclusion** and **discriminatory attitudes** in workplaces and public spaces.
- **Women with disabilities face dual discrimination**—limiting their access to **education, healthcare, and employment** (only **23% of women with disabilities work**, compared to **47% of men**).

▪ **Weak Monitoring and Accountability Mechanisms**

- The **Office of the Commissioner for Persons with Disabilities** lacks **adequate autonomy and enforcement powers** to ensure policy implementation.
 - Time-bound **grievance redressal mechanisms** for PwDs facing discrimination or rights denial are **largely absent**.

Measures to Strengthen the Effectiveness of the RPWD Act, 2016:

▪ **Enhance Budget Allocation and Resource Availability**

- Increase **financial allocation for SIPDA** to match the expanded scope of disability rights programs.
 - **Revise disability pensions** to reflect **inflation-adjusted** cost of living.
- Introduce **special funding schemes** for **assistive devices, rehabilitation services, and digital accessibility tools**.

▪ **Strengthen Coordination and Administrative Efficiency**

- Create a **centralized digital portal** for tracking state-level fund utilization and ensuring timely release of funds.
- Simplify the **UDID registration process** by integrating it with **Aadhaar and existing government databases** to reduce documentation barriers.

▪ **Improve Accessibility in Infrastructure and Digital Platforms**

- Mandate **universal compliance** with the **ICT Accessibility Standard IS 17802** across **government, financial, and educational digital services**.
- Ensure that all **public transport and urban infrastructure projects** incorporate disability-accessible designs.
 - Expand **Accessible India Campaign** targets to cover **private housing projects** as well.

▪ **Promote Inclusive Employment and Workplace Policies**

- Introduce a **National Disability-Inclusive Employment Policy** mandating:
 - **Vocational training tailored for PwDs** under **Skill India** and **PMKVY**.
 - A **Disability Employment Index** to track **inclusive hiring** in **public and private sectors**.
- Offer **tax incentives to businesses** hiring PwDs and penalize non-compliance with reservation policies.

▪ **Specialised Campaigns Against Societal Stigma and Increase Awareness:**

- Incorporate **disability sensitivity training** in **schools, workplaces, and public administration**.
 - Enforce **Supreme Court guidelines** on **disability representation in media** to counter negative stereotypes.

Conclusion

RPWD Act, 2016 is a landmark step in ensuring **equal rights and dignity for persons with disabilities**. It aligns India's legal framework with the **United Nations Convention on the Rights of Persons with Disabilities (CRPD), 2006**.

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