



Inclusive India: Unveiling the confrontation faced by persons with disabilities and empowering their rights

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ABSTRACT

The paper focuses on the problems encountered by persons with disabilities in India and investigate the multifaceted challenges faced by this marginalized population, including social stigma, limited accessibility, inadequate employment opportunities, and educational barriers. It emphasizes the importance of creating an inclusive society that values diversity and ensures equal opportunities for all. The paper also highlights key strategies for empowering persons with disabilities, such as advocating for policy changes, promoting accessibility and universal design, fostering inclusive education, facilitating employment opportunities, and encouraging public awareness and sensitization campaigns. In this paper an attempt is made to address these challenges and suggests some measures to promote their empowerment and safeguard their rights which will provide an inclusive and empowering environment for persons with disabilities to lead dignified lives and contribute to the nation's progress.

Keywords:

Persons with Disabilities, Social barriers, Empowerment, Accessibility and Public awareness.

INTRODUCTION

According to World Health Organization, "Disability is complex phenomenon, reflecting an interaction between feature of a person's body and feature of a society in which he or she lives." The Organisation has estimated that 1 billion people or 15% of the world's

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population are suffering from disability. As per census of India 2011, the total population suffering from disability is 97, 44, 386 and the total population of disabled persons in Assam is 1, 62,785.

Persons with disabilities are exposed to varied forms of discrimination as society is reluctant in recognizing and giving them status as others. Due to this enjoyment or attainment of different right be in field of education or employment has become a great challenge. They are also victim of different types of physical and sexual violence and are just seen as object of pity. This behavior of society towards them makes them incapable of having free access to their basic human rights.

The Constitution of India has enumerated equality for all in all aspects. The realization of the principle of equality can be in real sense only when all strata of population without any discrimination are treated with equality and equal opportunity. The struggle of persons with disability is perhaps more due to the social behavior which remains reluctant in accepting disabled persons as being capable of performing their rights and duties. They are considered as only responsibility on others. Moreover, the attitude of the society acts as a barrier upon them and they fail to claim their rights. Today the need is not just having medical treatment but also enjoying all the rights which includes political, social, economic and others. Having proper education and employment helps people with disabilities to become self-independent and leads them to live with dignity. There are several challenges which need to be addressed. These challenges are an active barrier in achieving the rights of persons with disabilities.

India's mindset towards disabilities has undergone significant changes in recent years, yet various challenges and misconceptions continue to exist. Traditionally, disabilities were often stigmatized and seen as a result of past karma or divine punishment, leading to social exclusion and discrimination. However, there has been a gradual shift towards a more inclusive and empathetic mindset in Indian society.



Definition of Disability

Disability is a condition or a state that incapacitates or makes a person incapable of performing activity both physical and mental in the manner or within the range considered normal for human being. This definition makes a contrast wherein the disabled persons are not at par with the abled due to their physical or mental incapability. However, to much extent this definition creates a gap between normal and disabled persons.

International Labour Organization(ILO) has held that a disabled person is an individual whose prospects of securing and retaining suitable employment are substantially reduced as a result of physical or mental impairment. This definition covers the plight of disabled persons in seeking better opportunities and their deprivation of employment due to their disabled conditions and as such they have to economically depend on others.

The International Classification of Impairments, Disabilities and Handicaps (ICIDH), 1980 defines the term disability as “the lack of ability to perform an activity in the manner or within the range considered normal for a human being”

This definition depicts the incapability of a person in discharging many activities due to his ability which makes him different from normal human being. It includes three Dimensions of Disability i.e., Impairments, Disabilities and Handicaps. In 1997 ICIDH-2 has renamed and re-conceptualized the term ‘participations’ instead of ‘handicap’ with the motive of encouraging and creating opportunities for disabled persons in all areas of social and human life.



DISABILITY MOVEMENT IN INDIA

India is a land of diversity and its social issues are also diverse. India since pre and post-independence era is in the midst of several types of social issues such as gender discrimination, child marriage, religious issues etc. The plight of disabled persons was overlooked by the society as they were not considered part of society but only burden upon family and society. The struggle to change this notion is still continuing, although the claim of rights and equal treatment of persons suffering from disability started in 1970's it was not so strongly pressed and only some individual or small group advocated for rights of disabled persons. Due to which it did not get recognition. Moreover, the society behavior towards persons with disabilities was very negative and they were out casted and treated like dirt. People assumption is also that they are suffering because of the sins they committed in previous life. The Disability Rights Movement in India although started in 1970's in India but it was towards end of 1980 that people's mindset towards persons with disabilities was slightly changed and they began looking upon disabled persons are in need of medical help. In 1992, Rehabilitation Council of India (RCI) was enacted by government of India to develop manpower for providing rehabilitation services. The Government of India being signatories to the Proclamation of Equality Rights & Full Participation of People with Disabilities in the Asian & Pacific Region immediately enacted legislation as Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 which provided education, employment, social security, removal of barriers etc. enacted. Following year, the Mental Health Act was also implemented. However, after considering the figures of census and incidence of discrimination with disabilities the government in 2006 introduced National Policy on Disability and strongly felt the need of amending 1995 Act. So in 2016 new disability Act was enacted by including many



provisions to meet the current requirement of persons with disabilities. Thus, the Rights of Persons with Disabilities Act, 2016, is a comprehensive legislation that recognizes the rights of disabled individuals and provides a framework for their empowerment. It mandates accessibility, anti-discrimination measures, inclusive education, and employment opportunities, signaling a commitment towards inclusivity at a legal level.

EXPLORING THE CHALLENGES FACED BY PERSONS WITH DISABILITIES

Disabilities in India pose considerable challenges and give rise to various problems across different aspects of life. Despite efforts to promote inclusivity and rights for disabled individuals, several issues persist, hindering their full participation in society. In the foregoing paragraphs some of the key problems faced by people with disabilities in India are discussed.

1. Lack of Accessibility

Lack of accessibility for persons with disabilities is a burning issue in many parts of the world, including India. Despite efforts to promote inclusivity, a significant segment of the physical and digital infrastructure in India remains inaccessible, creating numerous barriers for people with disabilities. This lack of accessibility undermines their ability to fully participate in various aspects of life, including education, employment, healthcare, transportation, and social activities. In terms of physical accessibility, many public spaces, buildings, and transportation systems in India are not designed with the needs of disabled individuals in mind. Wheelchair ramps, elevators, accessible restrooms, and designated parking spaces are often missing or poorly maintained. This makes it difficult or impossible for people with mobility impairments to navigate and access these spaces independently. Inadequate infrastructure not only restricts their freedom of movement but also limits their access to education, healthcare facilities, and employment opportunities. Likewise, public transportation systems, such as buses and



trains, often lack the crucial features to accommodate disabled passengers. Absence of ramps, lifts, priority seating, and audio-visual announcements further isolates people with disabilities and hampers their ability to commute and travel freely. Digital accessibility is another critical aspect that is often overlooked. Many websites, online platforms, and mobile applications lack the necessary features to make them accessible to individuals with visual impairments, hearing impairments, or motor disabilities. This exclusion from the digital realm limits their access to information, communication, e-commerce, and other essential services that are increasingly moving online. The inaccessible infrastructure is a significant barrier on attainment of numerous rights.

2. Lack of Health care and Rehabilitation Services

Despite progress in healthcare infrastructure, there are several barriers that hinder access to quality healthcare and rehabilitation for individuals with disabilities. The limited availability of specialized healthcare services tailored to the exceptional needs of people with disabilities. Many healthcare facilities lack the necessary equipment, expertise, and resources to provide comprehensive care for individuals with specific disabilities. This leads to delayed diagnosis, inadequate treatment, and a higher risk of secondary health complications. Additionally, there is a shortage of trained healthcare professionals, such as physiotherapists, occupational therapists, and rehabilitation specialists, who can provide specialized services to people with disabilities. The high cost of healthcare and rehabilitation services is another issue for persons with disabilities who come from economically disadvantaged backgrounds and struggle to afford the necessary treatments, assistive devices, and rehabilitation programs. The lack of financial support and insurance coverage further exacerbates the financial burden, limiting access to essential healthcare services.



3. Illiteracy

According to Census 2011, in comparison to 26% of all Indians, 45% of India's disabled population is illiterate. The percentage itself depicts that despite of making education an essential requirement for all; persons with disabilities are unable to avail proper education. The reason behind this is inaccessible infrastructure, poverty and the societal attitudes regarding capabilities to attain education for persons with disabilities. The economic conditions of the family of disabled often are the biggest hurdle to deprive them from education as basic necessity is itself a challenge. In addition to all these, communication barriers also contribute illiteracy as persons with hearing impairments find limited facility of sign language or assistive technologies and persons with visual impairments have challenges in accessing Braille materials that imparts reading and writing.

4. Employment Opportunities

Persons with disabilities are looked as burden upon society as they are considered as someone who is unable to do any work and are totally dependent on others. This thought process of the employers in hiring the employees often becomes a reason to disqualify a qualified disabled candidate in employment. The persons with disabilities, if finds and manages to get employment their struggle continues. They are deprived of many facilities and training due to lack of assistive technologies or physical barriers. The scope and opportunities for them remains limited as their promotion is itself dependent upon the advanced training. Moreover, the hostile and unfriendly attitude of the employers and the colleagues also discourages them to work freely.

5. Social Stereotyping and Prejudice

Persons with disabilities are often victim of social stereotypes and discrimination which



lays deep impact upon their living with dignity and respect in society. The negative attitude of the society in accepting them as normal and equal leads to their exploitation. The exploitations are in way of denying employment and if employed meager amount of wages is paid. They experience social isolation and are excluded from participating in community activities, recreational opportunities and even are deprived from equal participation in social gathering due to inaccessible infrastructures. These stereotypes and preconceived notions that can lead to marginalization, diminished expectations, and reduced opportunities for personal growth and self-expression. Women with disabilities are more prone to discrimination and subjected to violence than that of disabled men. The patriarchy mindset of Indians have built an image of women as caretaker of family and shouldered with all the responsibilities to manage the household chores, look upon children and represent the family in society. The women with disabilities are unable to fulfill an expectation of the patriarchy mindset as such they are taken as additional burden upon the family whose presence is worthless. They become victims of several form of violence and abuses in the hands of family, relatives and friends.

CONCLUSIONS AND SUGGESTIONS

Transforming the mindset towards persons with disabilities in India needs a collective effort from civil society, government and non-government organizations, individuals and all the communities. By creating opportunities, respecting the dignity of persons with disabilities and changing the negative perceptions of the society towards them, India can be considered as an inclusive society that values the contribution of all the citizens. Some suggestions to empower the rights of persons with disabilities are given below:

India should prioritize accessibility as a fundamental right. It is necessary to strengthen Implementation and enforcement of accessibility standards and regulations by ensuring



that new constructions and renovations fulfill the requirement of persons with disabilities. Public transportation systems should be equipped with necessary accessibility features to enable independent travel for all. Digital accessibility should be given identical weight age, with guiding principle and standards in place to ensure that websites, applications, and online services are accessible to people with disabilities. Education and awareness campaigns should be conducted to promote inclusive practices and sensitize the public about the importance of accessibility. A well structured infrastructure is the key to make accessible environment for fostering diversity, equality and social solidity for persons with disabilities.

Providing necessary healthcare and rehabilitation services for persons with disabilities is an urgent need and as such government shall increase the investment in healthcare infrastructure and make available specialized centers, assistive device, mobility aids, and rehabilitation equipment. It is also vital to train and deploy more healthcare professionals specializing in disability care and rehabilitation. This can be achieved through targeted educational programs, incentives for professionals to work in underserved areas, and collaborations with academic institutions to integrate disability-focused training into medical and allied health curricula. Comprehensive insurance schemes covering more and more disabilities and bridging the gap of rural urban divide by mobile health care units and outreach programs is essential for persons with disabilities.

Educational institutions should adopt inclusive practices and provide necessary support services, such as assistive technologies, accessible learning materials, and individualized teaching methods. Teacher training programs should incorporate disability-inclusive education to equip educators with the knowledge and skills to support students with disabilities effectively. Community awareness campaigns are also essential to challenge stereotypes and promote the importance of education for persons with disabilities. By



fostering a more inclusive and accepting society, the barriers that prevent individuals with disabilities from accessing education can be reduced.

By organizing awareness programme in the society and mandatory attendance of the family of persons with disabilities can help in changing the mindset of the society. Unless there is acceptance and inclusion of persons with disabilities in the society their condition will remain pathetic and will never be considered par with society.

Employment strengthens the persons with disability and helps them to be confident and earn their living and lead a life with dignity. The employers shall not discriminate and shall consider their ability and qualification rather and having a preconception that they are unable to discharge their duties properly. Moreover, the physical infrastructure and other facilities shall be provided by the employers to make the environment accessible for them.

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