

## Topic: Mechanisms, laws, institutions and Bodies constituted for the protection and betterment of the vulnerable sections.

### Disability Rights

#### 1) Introduction

- December 3 is a significant day for millions of persons with disabilities across the globe.
- In 1992, the United Nations announced that December 3 would be observed every year as International Day of Persons with Disabilities.
- It aims to promote the rights and well-being of persons with disabilities in all spheres of society
- 2017 Theme: “Transformation towards sustainable and resilient society for all”.

#### 2) Disability Rights Movement

- The disability rights movement gained momentum in the 1970s when disability was started to be seen as a human rights issue.
- The UN General Assembly proclaimed in 1976 that 1981 would be the International Year of Disabled Persons.
- Later, 1983-1992 was marked as the United Nations Decade of Disabled Persons.
- The UN Convention on the Rights of Persons with Disabilities (UNCRPD), 2006 was a big step towards viewing persons as “subjects with rights” and not “objects of charity”.
- India is a signatory to the UNCRPD and ratified it in 2007.
- Further, the 2030 Agenda for Sustainable Development states that persons with disabilities must be both “beneficiaries and agents of change”.
- The 2030 Agenda pledges to “leave no one behind”.

#### 3) Disability in India

- India is home to one of the largest disabled populations in the world.
- In India, according to the 2011 Census, 2.21% of the population has one or multiple types of disabilities
- Rights of Persons with Disabilities Act, 2016 recognises 21 kinds of disabilities.
- The Act also increased the quota for disability reservation in higher educational institutions from 3% to 5% and in government jobs from 3% to 4%
- India still lags behind in removing infrastructural, institutional and attitudinal barriers.
- Most buildings in India are not disability-friendly, despite under Accessible India Campaign all ministries are instructed to make their buildings accessible.
- Data on disability points to a correlation between ‘disability’ and ‘poverty’.
- The term 'divyang' (divine body) is used for persons with disability.

#### 4) Ensuring a Disability-sensitive Development

- Constitution guarantees equality, freedom, justice and dignity to all citizens, including the Divyang.
- Exclusion of persons with disabilities from education, employment and participation cost at around 7% of national GDP.
- Accessible services and business premises can broaden the customer base, increasing turnover and positively impacting the financial health and social brand of the company.
- Research estimates the market size of product categories needed by persons with disabilities in India at Rs. 4,500 crore.

- WHO report said that all of us at some point will be “temporarily or permanently impaired” and those “who survive to old age will experience difficulties in functioning.”
- Thus ensuring a disability-sensitive development agenda across all ministries, sectors and causes becomes critical if growth has to be truly inclusive.

### 5) **Concerns / Challenges**

- Disabled persons continue to struggle to secure employment and accessibility with poor infrastructure.
- Attitudinal, institutional, and infrastructural barriers remain
- World Bank stated that 15% of the world’s population experience some form of disability
- They are more likely to experience adverse socioeconomic outcomes than persons without disabilities
- Legislation alone is not enough; implementation remains abysmal.
- 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.

### 6) **Way Forward**

- A one-size-fits-all approach is unhelpful for disabled persons. There needs to be a shift from a charity-based approach to a rights-based approach.
- Care must be taken to ensure disability-inclusive development.
- We have to create sensitive and harmonious society, where every person feels empowered – and a society of empathy, where one person feels the pain of another.
- Information and Communication Technologies (ICT) have the potential in enhancing their social, cultural, political and economic participation.
- Incorporation of accessibility principles across all new developments will also complement the Accessible India Campaign
- Representation of persons with disabilities in all ministries, commissions and committees to advise and ensure inclusion in all policies, programmes and developments.
- Adherence to the latest Web Content Accessibility Guidelines should be made mandatory while developing websites and mobile applications.
- No Divyang person should be evaluated by his or her physical ability, but by his or her intellect, knowledge and courage.