Evaluating the Policies and Initiatives for Social Inclusion for Persons with Disabilities (PwDs)

Dr. Santosh D. Sabale
Assistant Professor
Indian Institute of Education, Pune, Maharashtra, India- 411038
Email: santoshsabale@gmail.com

Abstract:

   In accordance to the Disability Deprivation Index, 1.52 million of the 4.90 million new cases of disability reported in India between 2001 and 2011 were non-congenital. This descriptive study looks at India's current policies and finds program gaps for people with disabilities (PwDs). Several studies addressed the gaps identified in India's disability sector, which were primarily related to the availability of sustainable model programs, innovations, research, education, skill development, and employment, as well as an inadequate ecosystem for project and scheme implementation. In fact, data from various government institutions is incomplete. To tap the talent and employability of the PwDs students in education, NEP-2020 has suggested ample recommendations emphasizing on inclusive education, technology and special education for some specific disabilities. Therefore, the broader objective of this article was to evaluate the barriers against education for the disabled, and how to beat them by inclusive education and other such strategies of implementation. It also reviews RPwD Act, 2016 and to suggest improvements for inclusion of Persons with Disabilities. This study's research methodology is based on secondary data analysis by analyzing existing literature from available sources. This research focused by identifying important sources of information in relation to PwDs population in the India such as government reports, academic research, Census Reports, NGO and international agency reports. As scope of this study, the issue of attitudinal barriers must be addressed immediately to protect the rights of PwDs. The analysis highlights important limitations in coverage, accessibility, and execution. It also looks at obstacles that impede the

effectiveness of these programs, such as bureaucratic red tape, limited budget, a lack of knowledge, and socio-cultural impediments. The major findings of this paper highlight the efficiency of India's social security programs for PwDs are limited by administrative complexity, ignorance, and inadequate budget allocation. In light of the state's overall function, the governmental apparatus in charge of delivering essential services has failed, despite strong laws like the RPwD Act of 2016. In conclusion, the condition of India's disabled population highlights the necessity of a comprehensive, area-specific strategy to address the different obstacles, challenges and inequalities they face. India has witnessed an increase in the number of disabled people, who require extra care.

Keywords: Disability, NEP-2020, Inclusive Education, PwDs, Social Security Programs, Higher Education.

Introduction:

Disability is considered to be the biggest taboo in India. Every individual with a disability has the right to be free from discrimination, regardless of how severe their condition is. Despite the implementation of 4 per cent reservation in jobs for the disabled as per the Rights of Persons with Disabilities (RPwD) Act-2016 in Maharashtra, the reservation is not being implemented even after its laying down. In accordance to the Disability Deprivation Index, 1.52 million of the 4.90 million new cases of disability reported in India between 2001 and 2011 were non-congenital. The state government has a major responsibility to take in this. People with disabilities are mainly classified into two main types. The first category includes the physically disabled and the second category includes the mentally retarded. Physically impaired people include spinal cord injury, amputated limb, visual impairment, hearing impairment, while mentally disabled people include people with mental illness and mental retardation. Intellectual disabilities (divyangjan) of children are in pursuit of education. Starting from social stigma these children are faced with challenges that include lack of suitable schools, lack of trained teachers and infrastructure, lack of sufficient state financial provisions and also lack of advanced

technological devices to aid the special educational learning needs. According to the World Health Organization (WHO), intellectual disability is defined as significant limits in both intellectual performance and adaptive behavior beginning before the age of 18. This means a person with intellectual disability has difficulties with learning, reasoning, problem-solving, and other mental abilities, as well as challenges in everyday life skills like communication, social interaction, and self-care.

Research Gaps and Limitations

1. Inadequate funding and research for inclusive infrastructure, inaccessible healthcare, education, and employment opportunities for disabled populations, limited research on the health needs of PwDs, inconsistent and conflicting disability data due to different survey methodologies and definitions (NFHS), and a general lack of systematic, localized, and comprehensive disability research across various sectors are some of the research gaps in India's disability issues.

2. There is a paucity of trustworthy data on PwDs in India, which impedes evidence-based policymaking and program design. The existing data is frequently incomplete, obsolete, and inconsistent, making it difficult to assess the extent and nature of the issues that PwDs confront, as well as build effective policies and programs to address them. Even there is still a dearth of research that integrates suggestions for resolving the socio-cultural and financial obstacles affecting access with an evaluation of program efficacy. By analyzing the present situation of social security for people with disabilities in India, identifying structural obstacles, and putting forth workable and internationally compliant policy proposals, this study seeks to close these gaps through policy review considerations.

3. Despite the existence of several welfare programmes for PwDs in India, there is a considerable disparity in their access to healthcare as compared to individuals without disabilities. The fundamental difficulty originates from the lack of collaboration between

the two relevant ministries, with the Ministry of Health and Family Welfare (MoHFW) displaying minimal interest in rehabilitation programs despite the fact that the majority of PwDs. Addressing systemic gaps, programmes and initiatives for PwDs are frequently fragmented and lack a comprehensive approach. There are various ministries and departments responsible for the welfare of people with disabilities, but cooperation is sometimes poor. This can result in duplication of work, ineffective resource allocation, and coverage gaps. Systemic failure is revealed by the criticism of India's disability welfare program. Even though there are a number of important programs, they frequently fail to meet their objectives due to poor performance, insufficient coverage, static funds, and subpar execution, which further PwDs's continued marginalization. Additionally, India's disability inclusion plans highlight the necessity of increased funding for jobs, healthcare, education, and infrastructure. Despite the existence of legislative frameworks and policies, PwD's full inclusion and engagement are nevertheless hampered by implementation gaps.

4. The diversity and intersectionality of impairments are frequently overlooked in PwDs policy and initiatives. PwDs have different requirements and obstacles depending on their gender, age, location, and disability type. However, the programs and regulations frequently adopt a one-size-fits-all strategy, which may lead to specific PwD groups receiving insufficient support and resources. There is a lack of emphasis on increasing the capacity of PwDs and their organizations to take part in decision-making processes and advocate for their rights. PwDs' viewpoints and needs are not sufficiently represented in policies and programs, and they are frequently left out of decision-making processes. This can reinforce paternalistic views and cause PwDs to lose ownership and involvement.

5. Highlighting undercounting disability in India due to data gaps, most surveys conducted by the apex government data agencies who undercounts people with disabilities, which results in inaccurate figures that are used to establish welfare policies and programs.

According to experts, there is no precise estimate count of disabled peoples in India because all polls only include a portion of the population.

Objectives of the Study:

1. To review the Rights of Persons with Disabilities Act, 2016 (RPwD)

2. To evaluate the barriers against education for the disabled, and how to beat them by inclusive education and other such strategies of implementation.

3. To suggest a roadmap for the empowerment of PwDs to pave the way for their independent living in a competitive society.

4. To propose improvements in the National Education Policy-2020 for inclusion of PwDs.

An estimated 20 million people live in India with intellectual and developmental disabilities. There are a substantial number of students with intellectual disabilities, but data collection and reporting vary. Census 2011 data indicates 5,95,231 children with mental retardation within the 0-19 age group. A more recent analysis (2018) from the National Statistical Office estimated 561,744 children under 14 with intellectual disabilities (excluding autism) in India. However, data on specific school enrollment and educational attainment for this group remains fragmented. World Health Organization (WHO) data of 2023 estimated 1.3 billion people, or 16% of the global population, or 1 in 6 of the populations, experience a significant disability. Due to non-communicable diseases and greater longevity, this number is rising. Individuals with disabilities are a diverse population whose life experiences and health needs are influenced by a variety of characteristics, including age, gender, different sexual orientation, religion, race, ethnicity, and economic status. About 70 million people in India fall into the physically weak or handicapped or weaker sections. As per 2001 census, 2.13 per cent of the total population belongs to the weaker sections. About 75 percent of the population lives in rural areas. Only 49 percent of the vulnerable populations is educated and 34 per cent have access to employment. To the global disable populations, 18% of the total population in Australia falls under the vulnerable category,

while 14.12% of the population in the United Kingdom, 9% in the United States, 5% in China, 5% in Nepal, and 4.9% in Pakistan fall under the vulnerable category.

According to the World Disability Report (2011), 15% of the world's population has some form of disability. More than 80% of these disabled people live in developing countries. At least 186 million children with disabilities are unable to complete their primary education. In developing countries, less than 2% of children with disabilities are able to attend school. According to the 2017 census, the PwDs population amounted to 26,810,557 in India. This is 2.21 percent of the total population of the country. According to Census 2011, there are eight types of disabilities. It means that the society and the government are recognizing the need to address the needs and rights related to disability issues. In fact, the same report defines it as follows(Census of India, 2011).

Methodology of the Study

This paper uses a secondary data analysis approach. This indicates that this research did not acquire any new data, but rather carefully investigated and analyzed existing material from a variety of credible sources from public domains. There was no requirement to get ethical clearance for the purpose of this study. This research began by identifying important sources of information about PwDs population in the India. These included government reports, academic research, NGO publications, and reports of international agencies. This article's primary sources included:

a) Government reports: Data were analyzed from the National Census 2011, NFHS and NSSO, the Ministry of Statistics and Programme Implementation, the Ministry of Social Justice and Empowerment, and the Ministry of Labour and Employment.

b) Academic research: Reviewed peer-reviewed articles from journals focusing on disability studies, gender issues, and labor economics in India. These provided in-depth analyses and theoretical frameworks for understanding the challenges faced by disabled persons.

c) NGO reports: Examined materials from organizations such as the National Center for the Promotion of Employment for Disabled People (NCPEDP) and the National Association for the Blind. These frequently included case studies and empirical findings.

d) International agency reports: Examined research that provided global best practices and comparative viewpoints from institutions such as the United Nations, the World Bank, and the International Labor Organization. Research carried out a comprehensive examination and analysis following the collection of these materials.

These above datasets provide crucial information on the prevalence, patterns, determinants, and socio-economic aspects of disability, helping researchers and policymakers understand disparities in access to services, education, employment, and government support faced by people with disabilities. The analysis highlights important limitations in coverage, accessibility, and execution. It also looks at the obstacles that impede the effectiveness of these programs, such as bureaucratic red tape, limited budget, a lack of knowledge, and socio-cultural impediments.

Defining the scope of this study, it has been noted that related PwDs laws and acts defend the rights of people with disabilities, who are a significant part of society. The study focuses on how stakeholders, the community, handicapped parents organizations, and different professions are aware of the numerous sections and clauses in the Indian Act for Persons with Disabilities. To achieve personhood and dignity, people with disabilities must understand India's disability laws from a variety of viewpoints. The issue of attitudinal barriers must be addressed immediately in order to protect the rights of people with mental illness.

Debate on 'Disability'

The colonial administration began classifying and counting Indians based on their group and/or individual disabilities. In the census of 1881, the category of physically handicapped persons such as blind, deaf and dumb was introduced. But it was discontinued in 1931 and even

in the 1951, 1961 and 1971 censuses of independent India; no data pertaining to persons with physical impairment was collected.

Importantly, the term 'disability' has come into sharp focus in recent years. Although a decade has passed since the 2011 Census, the Government of India's (Ministry of Statistics and Programme Implementation) report titled 'Persons with Disabilities (Divyangjan) in India: A Statistical Profile Report of 2021' mentions only eight types of disabilities in which around 24 lakh individuals are affected by mental health related illnesses, failed to identify or acknowledge the concept of invisible disability. Symptoms that can occur only with invisible disabilities were indicated in the categories: 'mental retardation,' 'mental' and 'any other.' However, because these three categories are different from the legally recognized categories of 'mental illness' and 'intellectual disability,' it is uncertain how broad they are. Up to 20 crore people in India are thought to be impacted by psychological ailments.

The government has failed to implement the RPwDA, 2016. The government made the decision in 2023 to exclude questions about disabilities from the National Family Health Survey's sixth round (NFHS-6). The decision was made in light of the fact that, according to the 2011 Census, people with disabilities make up roughly 2.21 percent of the nation's 2.68 crore population. This number is under-represented today, not only because of population growth over the past decade, but also because it represents only seven defined categories of disability, in addition to the broader general 'other' category included in the census.

However, the government's aims for 2022–2023 are outlined in the Central NITI Aayog's strategic plan, "Strategy for New India@75," which emphasizes the difficulties caused by the absence of precise data when creating policies for people with disabilities. There is a glaring void in the policies for people with invisible disabilities, even in this groundbreaking report. A current report highlights the urgent need for comprehensive solutions that go beyond handrails, ramps and tactile flooring.

It is often observed that PwDs continue to face the challenges of discrimination in society, social exclusion, meager economic opportunities, and thus have a high incidence of poverty. The legal framework to protect their rights is inadequate. This leads to many problems in their daily life. The economy is in shambles and there is a lack of skilled manpower. Lacking access to education and information, expensive and affordable assistive technology, available services, and absence of a large network of disabled community members, and many other factors hinder their progress (Kumar, Roy & Carr, 2012). If the person is a wheelchair user, he may have difficulty in getting a job/ employment, not because of the wheelchair but because of adverse traffic or other inconveniences in the free exercise of his rights. Disability is an evolving concept that arises from interactions between PwDs and those who are differently abled, as well as from environmental and attitudinal barriers that prevent them from fully and equally participating in society.

The principles of international law, the provisions of Fundamental Rights and the Directive Principles of State Policy are reflected in the Indian Constitution in this way. The Constitution does not provide for any special provisions with respect to the rights of differently abled persons. However, entry 9 of the State List in the Seventh Schedule to the Constitution of India mentions assistance/ help to the differently abled persons and the unemployed. Apart from the constitutional provisions, the Government of India has enacted specific laws for the protection and empowerment of the rights of the differently abled persons.

Literature Review

If you look at the academic literature on disability studies in India, the term 'disability' is used in an administrative, symbolic and material sense. Disability/ Differently Abled Person (Divyangjan) is seen as a problem of marginality. Disability is a crucial aspect of the human experience and a part of being human caused by a combination of personal and environmental consequences, as well as medical diseases including dementia, blindness, or spinal cord injuries. Disability is used interchangeably with words like 'abled body people', 'differently abled or

especially abled', 'divyangjan', 'disabled'. 'Disabled 'can be a marginal identity. However, 'Divyangjan' is a controversial term as the term confers rights but not good treatment. In 2014, the present government of the Ministry of Social Justice and Empowerment was named 'Divyangjan'. The word 'Divyang' means 'divine body' instead of' Handicapped 'or' Disabled 'for the disabled/ handicapped persons, moreover such a realization takes away the reality from the life of the disabled. The United Nations Committee on the Right of Persons with Disabilities (CRPD) has said that the term 'disabled' is similar to the derogatory term 'mentally ill'. The State does an important role for 'Divyang'. Disability is a very broad and intersectional category.

There are about 4 to 8 crores persons with disabilities in India. The PWDs face difficulties affecting their physical or mental disabilities as well as social, economic, educational, etc. The constitutional provisions for persons with disabilities, Article 41 of Part IV of the Constitution of India, the Department of Empowerment of Persons with Disabilities functioning, statutory provisions, Rehabilitation Council of India Act, 1992, Rights of Persons with Disabilities Act, 2016, Deendayal Disability Rehabilitation Scheme, Accessible India Mission, etc. For example, international organizations working for persons with disabilities., United Nations, International Labour Organization, UNESCO, UNICEF, WHO etc. The United Nations declared 1982-1991 as the International Decade of Persons with Disabilities.

The definition of differently abled varies from situation to situation. "According to the United Nations Declaration on the Rights of Persons with Disabilities (1975), "A person who is physically or mentally incapacitated and unable to go about his or her life without the assistance of others is generally referred to as a person with disability." Similarly, it includes persons who have had a disability in the past or have been found to have a disability as per the norms or standards for disabilities. Such disabilities include physical, sensory, and cognitive or developmental disabilities. It also includes people who suffer from mental or psychological disorders. The United Nations adopted an agreement in 2006 to address the growing number of persons with disabilities and their rights:

In the Millennium Development Goals (MDGs), the United Nations has adopted specific targets to secure the rights of persons with disabilities. At the country level, some legislative schemes have been formulated at the central and state level to improve the living standards of differently abled persons. With the main objective of preserving their dignity and eradicating the sense of disability in their minds, the Central and State Governments have taken several measures, including reserving 3% seats for such persons in educational and employment sectors. The government has named such people differently abled to give them a place in society. Disability in India is a problem that undermines the nation's achievement of all the MDGs in social and political forums. Although the United Nations has articulated all aspects of the goal of the commitment to the rights of persons with disabilities and their equal inclusion, these have not automatically been taken into account in general or targeted efforts to address the challenges of achieving the goal. India has committed to comply with the United Nations Guidelines on the Rights of Persons with Disabilities, adopted in 2007. (UNCRPD, 2006) India is working closely with global practices and norms to provide opportunities to persons with disabilities and has a strong international normative framework for disability inclusive development.

Regular data collection is essential for both meeting the Sustainable Development Goals (SDGs) and adhering to the UN Convention on the Rights of Persons with Disabilities. The RPwDA's Articles 28 & 27 requires the government to support research and develop programs for the empowerment and protection of PwDs. Article 25 requires the government to conduct surveys, inspections and disability-centered research.

Review of Educational Policies for PwDs

The National Education Policy (NEP), 2020 envisions a more inclusive and equitable education system for all students, including those with intellectual disabilities by emphasizing individualized learning, assistive technology, and early intervention. The policy focuses on integrating students with disabilities into mainstream schools, providing them with necessary support and resources, and ensuring their holistic development. The NEP, 2020 ignores other

cognitive disabilities in the RPwD, such as autism and intellectual disabilities, and only discusses learning disabilities in relation to teaching teachers to recognize disabilities. The NEP emphasizes accountability standards based on learning outcomes over inputs. This involves monitoring learning objectives as part of the PARAKH (to test or evaluate) National Assessment Center, where pupils could be evaluated in grades 3, 5, and 8. The effectiveness of the mission towards fundamental literacy and numeracy could be determined by the results of the third-grade exams. Additionally, PARAKH shall include into educational standards and accountability, requiring all schools to make their assessment results publicly accessible. This shall be done via the current NAS until PARAKH is established. According to the policy, PARAKH shall guarantee that evaluation standards for kids with learning difficulties are accessible. Children with intellectual disabilities and other cognitive difficulties who do not fit into the NEP are further marginalized by this. Additionally, it's unclear how students with various disabilities could be able to take aptitude exams administered by the National Testing Agency for college admissions and pre-service teacher education.

In 2006, the National Policy for the Disabled was announced. Further, the Disability Act, 1995 was enacted in the Indian Parliament in 1995 to provide equal opportunities and protection of rights to persons with disabilities. Under the Deendayal Rehabilitation Scheme, the Government of India's Ministry of Social Justice provides funding for the welfare of the weaker and disabled groups with the assistance of non-governmental organizations. Non-governmental organizations are being encouraged by the government to successfully execute this program. The Department of Welfare of PwDs is working with non-governmental organizations to provide seminars for the development and welfare of underprivileged groups. The department organizes various programs at the state level for non-governmental organizations.

Issues of PwDs in Education Milieu

1. Visual impairment- Various types of disabilities are given, such as orthopedic, speech hearing, mobility, physical disabilities, and mental disabilities. Which state recognizes

disability is an important issue. The number of school dropouts, including students with disabilities, in higher education is less than that of students belonging SCs and STs.

2. The state of literacy- Education is directly related to employment. As per Census 2011, the literacy rate is 54 per cent and the illiteracy rate is 46 per cent. In 1947, 40 special schools increased the number of special students. In the last two decades, the number of special schools increased to 5000 by 2003.

3. Children with disabilities drop-out of schools- There are still fewer students with disabilities in higher education in India, but these figures do not trickle down to the secondary level of schools. Mild and moderate disability still persists. According to the 2005 survey of NCPEDP, the total number is less than 7000. The representation of students with disabilities is still low.

4. Gender-based differences- In higher education, male students are more than twice that at 0.075 per cent to 0.1 per cent, with a large gap in terms of representation. As per the RPD Act, 2016 (Right Based Model), in 1995, the Act recognized seven types of disabilities. The Act of 2016 recognizes 21 types of disabilities.

The University Grants Commission has launched a programme to promote higher education for the disabled in 1998. But out of about 300 universities, only thirty universities have made this facility available for the disabled. The Rehabilitation Council of India (RCI) was mandated to give special education training to sixteen categories of PwDs. But inadequate dissemination of information regarding RCI's programme is a definite disadvantage to potential beneficiaries. UGC made a provision for the disabled to appoint writers in the universities for their examinations. But even a premier university like Delhi University does not allow it and provides incompetent writers. In 2012, an Equal Opportunity Cell official protested to the university administration, but to no avail. The rule that disabled candidates should sit on the ground floor is also not followed. (The Hindu, November 26, 2012).

Disability and Social Exclusion

The number of handicapped / disabled has been collected in the census before the 2011 census. Earlier, the data of disabled/ disabled persons was not available. Lack of data was a main concern. Majority of PwDs live mainly in rural areas. There is a policy problem. But in the last decade, there has been an increase in expansion in urban and rural areas. The SC & ST categories have a significant proportion of disabled populations. India has 21.9 million people with disabilities, according to the 2001 census. But according to the preliminary report of the 2011 census, the disabled population is between 40 and 45 millions. This is close to the estimates in the 2013 United Nations Habitat Report of 2013. Similarly, as per the report of the Planning Commission in the Eleventh Five Year Plan, about 6 crore people i. e. 5-6 percent of the total population of India are disabled. But according to the 58th round of the National Sample Survey (NSSO 2002), there were only 18.5 million persons with disabilities. This is understandable because census is a total enumeration and National Sample Survey Organization (NSSO) undertakes sample to survey. But the assessment of both these things seems to be superficial, because according to the World Bank report there are about 4 to 90 million persons with disabilities which is 4-8 percent of the population of India. These differing estimates are due to ideological differences between India's institutions and the World Bank. So, the first task is to arrive at a common concept of 'disability' and based on that to make a proper estimate of disability, this process is yet to start in India.

The historicity of social taboo is as old as human history; however, the term 'social inclusion' became popular only in the second half of the twentieth century. French administrator Lenoir (1974) used the term 'social taboo' to refer to the status of marginalized and stigmatized individuals. As mentioned in the introduction, further the idea of social taboo gained wider currency and both stigmatized individuals and disadvantaged groups began to be referred to as outcasts. Against this backdrop, the need to differentiate between organic and agglomerative collectivities becomes important for formulating a robust policy of social inclusion. However, there are two forms of collectivism. For example, class categories are made up of individuals drawn from a variety of organic collectivities, although they can move up or down through social

dynamics. In contrast, persons with disabilities form a collective after discovering and recognizing their disability. They are disabled as individuals and their identity-marks as individuals make them members of a collectivity.

Access to healthcare for people with disabilities in India faces three serious barriers: (1) low investment, (2) lack of access to health services in many places, especially in rural India, and (3) inadequate transport (WHO, 2011: 62-63). While accessibility could be the first step in eliminating discrimination against the disabled, the second condition is to furnish trained and skilled personnel with the right attitude to accelerate the process of their social inclusion. However, the available data points to a more serious situation. A global survey conducted in 2005 revealed that out of the 114 countries covered, 34 countries have no facilities to train rehabilitation professionals and 56 countries have not rationalized their skills and familiarity of rehabilitation from time to time. That is, the vast majority of countries - 90 out of 114 countries - did not have staff suitable for resettlement (WHO, 2011). In addition to these 'environmental' barriers, all societies - including the most 'developed' societies - have long-existing negative attitudes and perceptions towards the stigmatized disabled (Goffman, 1963). The stigmatization of the disabled is not limited to society, but also exists in India among families of the disabled (Desai, 1991), where the family institution is considered to be well-integrated. Therefore, it is important to include the disabled in the family framework.

The Protection of Human Rights Act (PHRA), 1993 was enacted to guard the human rights of all persons living in India, including persons with disabilities. The National Human Rights Commission (NHRC) is responsible for implementing the PHRA. Once again there are no special provisions to uphold the interest of the disabled under the purview of PHRA. However, recognizing the fact that family and/ or community support in the case of the disabled is gradually weakening, the National Disabled Welfare Act, 1999 (NTA) provided for the appointment of Trustees to rekindle the diminishing sense of security of the disabled within the family and community. The convergence of national (Indian) regional (Asian) and global (United Nations) articulations regarding welfare of PwDs is reflected in the National Policy on

Disabilities (NPPD) 2006. The purpose of the NPPD was to implement and enforce the constitutional vision in respect of the disabled. But it did not go far beyond the earlier measures, especially the PDA.

Formulated in the Tenth Five Year Plan (2002-07), the NPPD announced the 'Integrated Scheme for Disabled Persons'. The concerned Ministries were instructed to make necessary financial provisions. The National Handicapped Finance and Development Corporation (NHFDC) were set up to address the special economic needs of the disabled. But whether it is the measures for the welfare of the disabled - whether it is the passing of laws, the framing of rules and regulations or the establishment of institutions - they have not yet received judicial status, because they are not justifiable; they remain well-intentioned and sacred hope as the governing principles of state policy under the Indian Constitution. In short, the welfare of the disabled has not yet received its due in India. This could be due to an error in the Constitution as Kavita Kannabiran (2016) recently stated.

The common argument in Indian equity jurisprudence is that Article 14, the right to equality, includes Article 15, the right against discrimination. While fundamental equality in respect of other grounds is established by Articles 15 (3), 15 (4) and 15 (5), the provision of fundamental equality in respect of disability can be established by a combined understanding of Articles 15 (1) and 15 (2) with the provisions of the Disabilities Act, 1955. The court, nevertheless, refused to extend the scope of Section 15 to disability.

Women with disabilities in general and the poor among them in particular face many disadvantages. To complicate matters, the social and even family perspective of looking at them is negative and discriminatory. "The Planning Commission also acknowledged this in the Eleventh Five Year Plan document: "Women with disabilities..." They are treated as a financial burden and social liability by their families; they are denied the opportunity to move out of their homes and access education; they are isolated and marginalized with no hope of a normal life.

Admission of school-age children with disabilities to general schools is a problem. The number of special schools for the disabled is low and general schools refuse to admit them. When entering, the necessary special attention is rarely given. To prevent all this, children and women with disabilities are at risk of sexual violence even in institutions set up for their upbringing.

The story of inclusion of persons with disabilities seems to be the same as that of other excluded and disadvantaged groups. When they are embarrassed by the government machinery, through the civic bodies, the governments pass laws and make rules, but seldom implement them honestly. But the combination of these two initiatives - civil society organizations and government initiatives has led to more and more disabled groups in India (Mehrotra, 2011: 6572). The efforts of some scholars working in universities and non-governmental organizations (some of them persons with disabilities) have promoted the cause of the disabled (Mehrotra, 2011).

Discussions

People with disabilities must first be empowered by equal participation in mainstream society. An environment free of barriers is essential, and accessibility is a very important issue for people with disabilities. An accessible environment is one that offers equal access to information, communication technologies, knowledge, and the built environment. As accessibility increases, the level of disability decreases" is the inverse relationship between accessibility and disability level.

In order to effectively allocate resources, influence disability policies and programs, and raise public awareness of disability issues, research is crucial. The quality of life and well-being of individuals with disabilities, obstacles to mainstream and specialized services, and strategies for overcoming them in various contexts, accessibility, and universal design programs suitable for low-income environments are some of the crucial research topics.

In the future, research should focus on assessing the efficacy of inclusive employment laws and programs, identifying best practices, and filling knowledge and understanding gaps. Intersectional analyses that take into account the intersecting identities of people with disabilities, such as gender, caste, and socioeconomic class, are critical for devising tailored interventions and achieving fair outcomes.

Major Findings of the Study

1. In light of the state's overall dysfunction, the governmental apparatus in charge of delivering essential services has failed, despite strong laws like the Rights of Persons with Disabilities (RPwD) Act of 2016, as not a single program has met its goals. The state apparatus still deliberately disempowers people with impairments by improperly implementing disability benefit programs. Notwithstanding equal rights protections in the Indian Constitution and laws, social discrimination, inequity, and exclusion from employment prospects are still based on handicap. People with disabilities have a harder time finding work in private companies. The implicit 'commodifying' effect on people with disabilities exacerbates their psychological and physical injuries by enhancing their sense of being the 'less productive' or 'unproductive' other. Meaningful participatory rehabilitation emphasizes the necessity of dialogical partnerships in which the voices of the marginalized are recognized and heard.

2. The efficiency of India's current social security programs for PwDs is limited by administrative complexity, ignorance, and inadequate budget allocation. To increase access and impact, this study proposes more funding, community-focused engagement, and simplified documentation procedures. The independence and dignity of people with disabilities may be supported, and an equitable society can be fostered, if India adopts a more inclusive, rights-based approach that is in line with international norms.

3. Analyzing budget gaps, the amount of money the government spends on PwDs is still less than 0.02% of the entire national budget. Hence, the DEPwD allowed the estimates

for 2022 and 2023 to remain stagnant and underused the budget annually from 2019 to 2022. These gaps highlight the need for a social security system that is more accessible, inclusive, and adequately funded in order to meet the particular requirements of disabled people throughout India. The gap between policy and implementation by criticizing Indian government programs for falling short of their goals and depriving disabled people of their rights. As evidenced by their unfulfilled goals, stagnant resources, and restricted coverage, important disability programs have performed poorly. It is widely claimed the government's lack of accountability, decreased funding, and inability to enact significant reforms for the disabled community. It is nothing but the government's systemic disregard for disability rights.

4. Realizing that the basis of state assistance for marginalized PwDs only exists on paper makes it very difficult to advance disability rights in India. Stakeholders in the state are not sensitive enough or technically capable of doing a bare minimum. Furthermore, it has grown more difficult to advocate for systemic improvements as a result of the government's failure to share adequate statistics.

5. Even though there has been considerable improvement, there are still a lot of holes in India's existing PwD regulations and programs. Important issues still exist in spite of the Rights of PwDs Act, 2016 and several measures from ministries like education, health and family welfare, and social justice and empowerment. These include inadequate funding for initiatives connected to disabilities, poor inter-ministerial coordination, and a dearth of trustworthy data on PwDs.

Conclusion

In India, stigma around disability is still quite strong, which frequently limits the potential of those who are impacted. Even with advancements brought about by laws like the Rights of PwDs Act of 2016, ingrained impediments and societal prejudices still stand in the way of complete inclusion. In addition to discriminatory actions, the stigma associated with disability

often shows up in the disregard for the rights and inherent talents of PwDs. Opportunities for social integration and empowerment are undermined by this marginalization, which frequently results in a cycle of exclusion. While the Indian government has made significant progress in promoting the welfare and empowerment of PwDs, there are still several policy and program gaps that must be addressed to guarantee that PwDs have equal access and opportunity in all parts of life. India assumed a set of responsibilities to change the way PwDs are treated from being charitable objects to being subjects with rights who are able to assert their rights when it ratified the UNCRPD in 2007. Nonetheless, the RPwD Act of 2016 has a number of issues that must be fixed right away. Even though the RPwD Act of 2016 is a rights-based law, its effectiveness will mostly rely on how aggressive each state government is in putting it into practice. The promotion of disability rights requires the development of a complete and transparent procedural medium. It's critical to understand that the moral rights of people with disabilities cannot be defended and upheld in a vacuum. As was already established, the problem of disability is inextricably linked to a wide range of other social, economic, and political challenges, such as political victimization, gender inequality, chronic poverty, and poor management. The 'disability right' cannot be realized unless all of these are eliminated. The current trend is to strive to harness the potential of the disabled by transcending the charity paradigm. In short, the process of social inclusion of persons with disabilities has hardly begun in India.

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