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Empowering Divyangjan: A Study in Present Context

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Introduction

Disability, an overarching concept and an umbrella term, covers impairments in functioning, limitations in activities, and restrictions in participation in life and work. The 2011 World Health Organization Report on Disability stated a prevalence of disability of around 25% (based on World Health Surveys), highlighted its significant burden in India, and contrasted it with a gross inadequacy of rehabilitation professionals and programs in the country.¹ Disability is complex, dynamic, multidimensional, and contested. The term "disability" has divergent meanings; the confusion is compounded when viewed from different theoretical frameworks and conflicting perspectives.

In an effort to improve society's perception of people with disabilities and recognise their potential, the prime minister created the name "Divyangjan" to refer to them. Under his direction, Divyangjans-related concerns have been prioritised in government projects.

Prior to May 2012, the Ministry of Social Justice and Empowerment served as the Central Government's focal point for issues relating to people with disabilities through its Disability Bureau. The Department of Empowerment of Persons with Disabilities (Divyangjan), which falls under the Ministry of Social Justice and Empowerment, was established in consideration of the complexity of issues involved in managing disability as well as giving focused attention to policies, programmes, and activities aimed at inclusion and empowerment of PwDs. Since its foundation, the Department has increased outreach initiatives aimed at PwD empowerment and established itself through a number of policies and programme interventions.

India signed the United Nations Convention on Rights of Persons with Disability. and subsequently ratified the same on October 1, 2007. The Rights of People with Disabilities Bill, 2016 was approved by the Parliament during the winter session of last year, marking a significant step towards the empowerment of the disabled. This Act supersedes the current People with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. The number of disability categories has been raised from the previous 7 to 21 under the new Act. The Rights of Persons with Disabilities Act, 2016, in short, the RPD Act empowers persons with disability to enjoy the right to equality, and life with dignity, in other words, full and effective participation and inclusion in society. The Act also increases the reservation quota in government employment from 3 to 4 percent. Ideally, the rights-based legislation with increased rights and entitlements, effective national and state monitoring bodies, and other government programmes and campaigns will go a long way towards realising the empowerment and mainstreaming of people with disabilities in society.

Empowering Person with Disabilities in India

Disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others. As per Census 2011, at the all India level, disabled persons constitute 2.21% of the total population. 7.62% of the disabled persons belong to the age group 0-6 years.

What is the Constitutional Framework for Disabled in India?

Article 41 of the Directive Principles of State Policy (DPSP) states that the State shall make effective provision for securing the right to work, to education and to public assistance in

cases of unemployment, old age, sickness and disablement, within the limits of its economic capacity and development. With this, Article 21 provides for a dignified life. There is a provision of adequate protection for them in the Person with disabilities Public Rights Act. The subject of 'relief of the disabled and unemployable' is specified in the state list of the Seventh Schedule of the constitution.

A Landmark Step for Divyangjan

It becomes the responsibility of the Union, the States, and the Union Territories to address the issue. Also, it is crucial to check that all government buses adhere to the unified standards for accessibility for the disabled. The definition of disability is based on a dynamic and developing idea. The act added a number of disabilities, such as deaf blindness, acid attack victims, Parkinson's disease, mental illness, autism, spectrum disorder, cerebral palsy, muscular dystrophy, chronic neurological conditions, speech and language disability, thalassemia, haemophilia, and sickle cell disease, which were largely ignored in the previous act. The Government is also permitted to announce any other category of a particular handicap. Between the ages of 6 and 18, any kid with a baseline impairment is entitled to a free education. Both institutions that are recognised by the government and those that are supported by it must offer inclusive education. Together with the Accessible India Campaign, emphasis has been placed on ensuring accessibility in public buildings within a certain time range. The State Commissioners and the Chief Commissioner for People with Disabilities will serve as grievance redressal organisations and regulatory bodies, respectively, overseeing the Act's execution. To give financial assistance to people with disabilities, separate national and state funds should be established.

The Problem of Person with Disabilities

1. *Emotional inferiority*: The biggest problem of Person with disabilities is emotional inferiority. Due to its shortcomings, it creates a sense of inferiority in them, which hinders their development.
2. *Distance from essential facilities*: The most problem for disabled people is the distance from their health, employment facility which makes them more vulnerable.
3. *Social boycott*: Disabled people have to face social boycott. Which leads to a deterioration in their social status, this condition makes them prone to depression by making them a victim of mental harassment. To remove this social exclusion, from 2016, the use of the word Person with disabilities started in place of the handicapped.
4. *Not exercising rights*: Person with disabilities public speech and expression get away from dignified life, due to which they are not able to exercise their rights.
5. *Inadequate data*: Inadequate data concerning them removes their access to good governance.

Government Initiative

Our Government enacted the path-breaking legislation, the Rights of Persons with Disabilities Act, 2016 which came into force on 19 April 2017. This law is one of the best examples of inclusiveness, which broadens the horizon of rights and entitlements of persons with disabilities, besides providing adequate safeguards for protecting these rights. This Rights guarantee equality, protection from cruelty, exploitation and violence, the right to live with family and community, access to justice, accessibility to voting, legal capacity, etc. Disability certification was one of the priority areas of our Government. Keeping in view the inclusion of new categories of disabilities under the RPwD Act, the Ministry notified the guidelines for the assessment of the extent of specified disabilities in a person in 2018. Creating a barrier-free environment for persons with disabilities is the key to their inclusion. The Prime Minister launched the Accessible India Campaign on 3 December 2015, which focuses on accessibility in built-up environment, transportation system, and ICT ecosystem. Significant progress has been made in this direction. Under the Campaign, about 577 State Government buildings and

more than 1030 Central Government buildings have been made accessible. All 35 international airports and 55 out of 69 domestic airports have been provided with accessible features like ramps, help desks, and accessible toilets. Around 709 railway stations of A1, A & B categories have been made accessible and 8443 buses have been made fully accessible, while 44153 STU buses have been made partially accessible. 603 State Government websites and 95 Central Government websites have already been made accessible. The Ministry of Information & Broadcasting has issued guidelines in September 2019 for making TV viewing accessible for persons with hearing impairment.

Sugamya Bharat Abhiyan

- A nationwide major campaign to achieve universal access that will enable persons with disabilities to have access to equal opportunity and live independently and participate fully in all aspects of life in an inclusive society.
- This campaign is targeted at the environment, traffic, information, and communication.

Deendayal Disabled Rehabilitation Scheme

- Under this scheme, NGOs are provided with financial assistance to provide various services to persons with disabilities, such as special schools, vocational training centers, community-based rehabilitation.

Early childhood (0-6 years) is a critical period that determines a person's ability to reach her/his lifelong health, social, and economic potential. Providing quality childhood intervention early in its life helps to develop the skills needed to enable them to lead an independent and dignified life. As such, early identification of disability is crucial for therapeutic intervention to reduce the disability burden. Recognising this, DEPwD set up 14 Early Intervention Centres at its National Institutes/Composite Regional Centres located in Delhi, Dehradun, Lucknow, Sundernagar, Patna, Bhopal, Mumbai, Kolkata, Cuttack, Rajnandgaon, Secunderabad, Nellore, Chennai, and Kozhikode. These centres are equipped with facilities for screening at-risk cases, providing therapeutic services such as speech therapy, occupational therapy, physiotherapy, behavioural therapy, parental/peer counselling, and preparatory school for enhancing the cognitive and physical abilities of children with disabilities.

In order to encourage students with disabilities to pursue education at all levels, Government is providing scholarships for Pre-Matric (25,000), Post-Matric (17,000), Higher Class education (300) at reputed professional institutes, M.Phil/PhD courses (200) and for pursuing higher studies overseas (20). The numbers of Post-Matric scholarships and Scholarships for Higher class education for PwDs have been showing incremental growth in the recent past that indicates wide participation of PwDs in higher education.

The New Education Policy 2020 is in tune with the provisions of the RPwD Act, 2016 and has the ingredients for inclusive education. The Policy is expected to ensure barrier-free access to education for children with disabilities.

The Government is also working towards promoting the participation of PwD in sports. Talent among Divyang sportspersons in the country is immense, which is evident from the fact that India won 19 medals including 5 Gold medals in Tokyo 2020 Paralympics. DEPwD has set up a Centre for Disability Sports at Gwalior which is expected to be functional during the current financial year. The Centre will have state-of-the-art facilities for the training of sportspersons with disability across all major sports.

The Government recognises the role of Non-Governmental organisations in promoting awareness about the rights of PwDs and their rehabilitation and integration into society.

Although, framing policies and programmes is significant from the perspective of providing a framework for inclusion and empowerment of PwDs, strengthening institutional arrangement for execution of these programmes is equally important. The Department has nine National Institutes and 21 Composite Regional Centres which are spread across 28 States/UTs.

While each of the National Institutes works with respect to a specific category of disability, the Composite Regional Centres are providing rehabilitation services across all categories of PwDs. The Department is continuously working towards strengthening these institutions for capacity development in the rehabilitation sector as well as enhancing the outreach of the array of rehabilitation services besides promoting research in the field.

As per the 2011 Census, there about 50 lakh people suffering from hearing handicap. The main objective behind the setting up of the Indian Sign Language Research and Training Centre (ISLRTC) is to develop manpower for using, teaching and conducting research in Indian Sign Language. The first batch of Diploma Course in Indian Sign Language Interpretation commenced from 28.10.2016 with intake capacity of 15 students. The second batch started from 14th of December 2016. Efforts are being made to prepare the sign language dictionary of about 6,000 words. There is a also plan to prepare a directory of Indian Sign Language interpreters in India.

District Disability Rehabilitation Centres (DDRC) are set up under SIPDA for providing comprehensive services to the persons with disabilities at the grass-root level and for facilitating creation of the infrastructure and capacity building at the district level for awareness generation, rehabilitation and training of rehabilitation professionals. Grants-in-aid of Rs.1,78,61,199 has been released for 44 District Disability Rehabilitation Centres in the current year as on 9th of January 2017.

The Ministry of Social Justice and Empowerment confers National Awards on individuals, institutions, states/districts for their outstanding achievements or work done towards empowerment of Persons with Disabilities on the occasion of the International Day for disabled persons (3rd December). As many as 89 lakh citizens have benefitted.

Conclusion

Hopefully, the rights based legislation with more Rights and Entitlements and strong monitoring agencies at the National and State Levels and the various schemes and campaigns launched by the government will go a long way in achieving empowerment and mainstreaming of the Persons with Disabilities in the society. People with disabilities are not less capable of contributing to society. By providing equal opportunities and the appropriate respect, we help those with disabilities develop a feeling of confidence and a sense of belonging. This promotes development attitudes, and regardless of a limitation, a person will pursue and strive towards their objectives, positively impacting society in the process. Supporting initiatives that provide disabled individuals access to training and employment possibilities might ultimately result in lower tax rates and a sense of empowerment among the disabled. This raises living standards while simultaneously boosting the economy. Giving pertinent information about many elements of their well-being and educating them about their legal rights and advantages are further ways to empower individuals with disabilities. Due to their frequent exclusion from legal decision-making processes, the majority of individuals with disabilities are unaware of their rights and frequently suffer abuse and exploitation. Governments should incorporate minorities' representatives in legislative and other decision-making processes to further boost the empowerment of individuals with disabilities. With the help of empowerment initiatives throughout the world, we can build an inclusive society where people with disabilities are treated with the same respect, compassion, and kindness as everyone else. Disability advocates' ability to speak up and demand their rights might have a genuinely transformational effect. But we all need to pitch in. Empowerment is essential because it helps persons with disabilities realise their full potential and brings about lasting social change.

