

## EMPOWERMENT THROUGH ACCESSIBILITY: AN ANALYTICAL REVIEW OF DISABILITY POLICIES IN INDIA

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### **ABSTRACT**

*Health is a significant indicator of the development of any country and disability plays an important role. India with more than 26 million people with disabilities has acknowledged that accessibility is the key to inclusion and the accessible barrier-free environment is the first step towards empowerment of people with disabilities. The accessible environment includes accessibility of physical infrastructure as well as equal access to knowledge, information and communication technologies. To achieve universal accessibility, Government of India has launched a nation-wide flagship “Accessible India Campaign” (Sugamya Bharat Abhiyan) that enables persons with disabilities to gain access to equal opportunities, to live independently and to participate fully in all aspects of community life.*

*This research paper endeavors to review these key policy initiatives and tries to examine the challenges and future possibilities in the context of persons with disabilities in India. Finally, this paper concludes by suggesting the ways to achieve the goal of inclusive and accessible India through collective efforts at the government, non-government, community and individual level.*

**KEYWORDS:** *Accessibility, Disability, Empowerment, Inclusion, Persons with Disabilities*

### **INTRODUCTION**

Disability- the term used in popular and predominant discourse is a “fundamental and vitally important human experience across cultures” (Battles 2012: 107). It is a complex issue that affects the lives of the significant number of people around the world. Life is unpredictable and everyone can become impaired temporary or permanently at any time in life (McDermott and Herve 1995). Older people may also face difficulties in functioning and struggle in their physical activities in later ages. Furthermore, “rates of disability are increasing in part due to aging populations and an increase in chronic health conditions” (World Bank and WHO 2011:1).

World Report on Disability (2011) estimated that “over one billion people, that is, about 15% of the world’s total population is suffering from some kind of disability.” Of these, around 200 million people experience considerable difficulties in functioning. It further states that 80% of this disabled population lives in developing countries. Census of India (2011) has revealed that over 26 million people in India are suffering from one or other kind of disability. This is equivalent to 2.21% of the total Indian population. Some persons with disabilities are fully integrated into the society where they participate in all areas of community life and actively contribute in the economy. However, the majority of people suffering from any kind of disabilities face discrimination, segregation, isolation, and even abuse. Persons with disabilities are world’s poorest and most marginalized people who live in all developed and developing countries,

including India (World Bank and WHO 2011).

The government of India has acknowledged that “accessibility is the key to inclusion” and “accessible barrier-free environment is the first step towards fulfilling the rights of people with disabilities.” The accessible environment includes accessibility of physical infrastructure as well as equal access to knowledge, information and communication technologies. To achieve universal accessibility, Government of India has launched Accessible India Campaign (*Sugamya Bharat Abhiyan*) that enables persons with disabilities to gain access to equal opportunities, to live independently and to participate fully in all aspects of life (blog.mygov.in). This is a nationwide flagship programme to create an inclusive society. This research paper endeavors to review these key policy initiatives and tries to examine the challenges and future possibilities in the context of persons with disabilities in India. Finally, this paper concludes by suggesting the ways to achieve the goal of inclusive and accessible India through collective efforts at the government, non-government, community and individual level.

## CONCEPTUALISING DISABILITY AND ACCESSIBILITY

Health is a significant indicator of development of any country and disability plays an important role. Disability is often perceived as limitations on an individual's life (Higgins 1992; McNulty 2013; Oliver 1998) resulting in discrimination and exclusion. Disability is a culturally constructed human condition that has been undergone different conceptualisation over time depending upon “how societies differentially distribute power” (Kasniz and Shuttleworth 2001). The way society defines disability is reflected in social attitudes and in different models of disability (Harriss-White 2003; Karna 1999). Traditional/religious model and medical model view problems and difficulties experienced by disabled people as the direct result of their physical and mental impairments. In this model, the total focus was on the individual not on the surrounding environment and the person was assumed to be faulty for his/her condition (Ablon 1995; Kasniz and Shuttleworth 2001; Shuttleworth and Kasniz 2005). During this time, people had to face isolation, exclusion, discrimination and even abuse (Oliver 1990). However, social model of disability improved the lives of some persons with disabilities by redefining the concept in a positive way. In this model, disability is understood as the result of “interaction between individuals and their environment” (Hahn 1984). The surrounding environment is believed to be the impediment in the full inclusion of persons with disabilities. Hahn (1984) and Oliver (1990) argued that, if the environment is designed in accordance with the different needs of persons with different abilities then disability could be minimised (Brzuzy 2008). Empowerment and inclusion of persons with disabilities involves this social and behavioural change in our society where persons with disabilities are seen with equal respect and dignity as others. Recently, the human rights-based approach is the new paradigm to treat persons with disabilities around the world (Harpur 2011; Stein 2007), including India.

Empowerment can be seen as the process of providing equal opportunities and access to all the persons with disabilities for their full participation in all areas of community life. Defining the concept of empowerment, Wallerstein (1992; 198) stated that, “it is a social action process that promotes participation of people, organisations and communities towards the goals of increased individual and community control, political efficacy, improved quality of community life and social justice.” The first step in the empowerment of persons with disabilities is their equal participation in the mainstream society. For persons with disabilities, accessibility is a very important issue and accessible barrier-free environment is an essential requirement. Accessible environment includes accessibility of physical infrastructure as well as equal access to knowledge, information and communication technologies. Raheja (2016) stated that “accessibility has the

relevant potential to enable and to bring human diversity together not by challenging one's ability, but by supporting everyone with diverse abilities." Gupta (2016) observed that, "with an increase in accessibility, the level of disability decreases as both are inversely proportional to each other." It is to note that accessibility is generally misunderstood with mobility only. Accessibility means different things to different people. For a wheelchair user accessibility means a clear path, which includes ramps, elevator, lifts, accessible toilets, accessible transport and enough space through which for people to move with ease. Free mobility is just one component of accessibility. For a visually impaired person accessibility may mean access to knowledge, information and communication technology. It means so many things to different people depending upon their understanding but most of all it means being treated with respect and dignity like other human beings. Technology has facilitated access to communication to lots of people. Barriers are created by society. Disability doesn't hold anyone back. Challenge is to ensure access and inclusion. Celebrating human diversity can benefit every individual around the world.

## **MAPPING DISABILITY IN INDIA**

India is one of the largest democracies in the world with a population of 1.2 billion. Census of India (2011) has revealed that over 26 million people in India are suffering from one or other kind of disability. This is equivalent to 2.21% of the total Indian population. Out of these, 18.6 million are males and 8.2 million are females. The number of disabled people is more in rural than in urban areas. Earlier in Census 2001, there were only five types of disability on which data was collected. In Census 2011, types of disabilities are raised to eight on which data is collected. "Mental Disability" is further bifurcated as "Mental Illness" and "Mental Retardation" in 2011. Two new types of disability are "Multiple Disability" and "Any Other." It is found that disability in movement at 20.3% is highest among all the eight categories. However, general estimates of disability in India are 4-5% of the total population. World Bank (2009) reported that about 4-8% percent of the Indian population is suffering from some kind of disability. Both National Sample Survey (NSS) and Census data present different estimates of disability (Shenoy 2011). The difference in estimation of disability is due to conceptual ambiguity which results in various definitions of disability making disability a complex phenomenon and its measurement in India a challenging process (UNDP India 2012).

Meeting the requirement of providing some kind of normal life to the challenged people requires an enormous amount of economic and human resource. India spends only 2.5% of its total GDP on health. There is nothing specifically budgeted for the specially challenged people and none of the budget speeches addressed the issue directly. The government of India through its Constitution ensures equality, freedom, justice, and dignity of all citizens of the country including persons with disabilities. Disability is present in the "State List" in the Seventh Schedule of the Constitution. It is also mentioned in the 11<sup>th</sup> and 12<sup>th</sup> Schedule under social welfare and safeguarding the interests of the weaker section of the society including the 'handicapped' and 'mentally retarded'. The Government of India has introduced mainly four legislations for persons with disabilities viz, The Mental Health Act (1987), Rehabilitation Council of India Act (1992), National Trust Act (1999) and Rights of Persons with Disability Act (2016). The recent Rights of Persons with Disability Act (2016) replaces the Persons with Disability (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and ensures better provisions and implementation. It is structured in accordance with United Nations Convention on Rights of Persons with Disabilities (UNCRPD) 2007. Accessibility is an important and strong mandate under this law which further facilitates mainstreaming, access to care and treatment and also protect them from discrimination. In addition

to the above-mentioned legislation, Government of India has adopted a National Policy for Persons with Disabilities in 2006. This policy recognizes that “Persons with Disabilities are the valuable human resource for the country and seeks to create an environment that provides equal opportunities, protection of their rights and full participation in society.” The Department for Empowerment of Persons with Disabilities (DEPwD) under the Ministry of Social Justice and Empowerment is designated as the nodal department for the welfare of persons with disabilities. This department facilitates empowerment of persons with disabilities by implementing various Programmes, Schemes, and other initiatives. Accessible India Campaign is one such programme to enables people with disabilities to gain access to equal opportunities, to live independently and to participate fully in all aspects of life.

## **EMPOWERMENT THROUGH ACCESSIBILITY**

Accessible India Campaign or *Sugamya Bharat Abhiyan* has been launched by Department of Empowerment of Persons with Disabilities (DEPwD), Ministry of Social Justice and Empowerment on 3<sup>rd</sup> December 2015 i.e. the International Day of Persons with disabilities. It is a nation-wide flagship campaign whose roots can be traced back to the international legal mandate of United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) 2007, and Incheon Strategy 2012. India is one of the first signatories to UNCRPD and has also ratified it. Article 3 (General Principles) and Article 9 of UNCRPD urged “Governments to take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas” (UNCRPD 2007). Also, Incheon Strategy (2012) sets 10 Goals to “Make Rights Real for Persons with Disabilities in Asia and the Pacific.” This Strategy comprises 10 goals, 27 targets, and 62 indicators, is an action plan to make societies barrier-free for persons with disabilities and to ensure their rights over a decade from 2013 to 2022. Goal 3 of the Incheon Strategy clearly mandates “enhancing access to the physical environment, public transportation, knowledge, information and communication for persons with disabilities” (Incheon Strategy 2012). On these grounds, Accessible India Campaign has been launched for achieving universal accessibility for Persons with Disabilities and to create an enabling and barrier-free environment, with a focus on three pillars: Built Environment, Public Transportation, and Information & Communication Technologies (ICT). Under this campaign, targets are being set to make government buildings, airports, and railway stations and public transport carriers fully accessible for persons with disabilities. Also, an Accessibility and Inclusiveness Index has been created to assess and monitor the systems and processes of various organizations for their accessibility and inclusivity. This Index will examine the current status of inclusiveness and accessibility of persons with disabilities by an organization (Accessible India Campaign 2015).

## **CHALLENGES IN MAKING ACCESSIBLE INDIA**

The first and the foremost challenge is the traditional mindset of the people towards persons with disabilities. Till present, persons with disabilities have been considered a burden on the society. It is believed that they are responsible for their own conditions. Generally, people focus on their disabilities rather than abilities. They are neglected while making laws, rules, and regulations. The overall infrastructural and institutional development was done around ‘normal’ or ‘abled’ people. In other words, the world is built around or designed for ‘abled’ people. It is not built around ‘disabled’ people, so is our perception. Inaccessible infrastructure whether it is a public building, transport and communication technologies around us, clearly reflects this neglected attitude of policy makers, architects, builders and facility managers towards

persons with disabilities. First access audit of buildings and public spaces in India illustrates the “plight of disabled in the country as it has not found a single complete disabled friendly building” (Sharma 2016). Nirmita Narasimhan, Policy Director, Centre for Internet and Society, Bengaluru pointed out the same ignorant attitude of ICT developers and argued that, “Standards exist for websites (WCAG 2.0), electronic documents and publications (EPUB 3.0) and other forms of technology, multi-media, and content which will make it easy for the developer to create accessibility products. Unfortunately, these are not being adhered to. We are overflowing with technologies which can potentially be of immense use to persons with disabilities. The market, however, fails to realize that there is a huge business case in tapping the market of persons with disabilities” (Roy 2016). It reflects the present condition of accessibility and plight of persons with disabilities in India. There is a need to overcome this attitudinal barrier and move from “charity based approach” to the “rights-based approach.”

The second major barrier in the inclusion of persons with disabilities is inaccessible physical infrastructure. Gupta (2016: 19) describes some challenges and shortcomings of Accessible India Campaign. She argues that, Accessible India Campaign aims to ensure a level of accessibility for all citizens including people with disabilities through retrofitting of the public infrastructure, but “it does not address the need to ensure that everything that is new whether it is buildings, transport infrastructure, information, and communication infrastructure is accessible from the beginning.” She further stated that the lack of coordination and understanding between ministries to implement accessibility guidelines results in ineffective implementation. Therefore, strong political will and cooperation between concerned or associate ministries are required to make this campaign a success.

The campaign majorly focuses is on urban areas irrespective of the fact that the number of disabled people is more in rural than in urban areas, “there is no target to improve accessibility in rural areas” (Gupta 2016:19). Also, there is no mention of addressing accessibility of daily usable areas like roads, footpaths which will limit persons with disabilities from participating in daily use activities and everyday life.

The whole focus of the campaign is on public sector infrastructure and services excluding private sector whether it is physical and virtual space. The private sector doesn’t have mandates to follow accessibility rules and regulations. It will restrict the accessibility of persons with disabilities to public sector only. However, private sector employs a vast majority of people in India. Therefore to achieve the vision of developing an “Inclusive and Accessible India,” private sector infrastructure and services must be included under the purview of this campaign.

## **CONCLUSIONS**

Accessibility is an important tool that can benefit billions of people including persons with disabilities, elders, pregnant women and children. Accessibility increases access for everyone including non-disabled users. Disability limits choices and opportunities but accessibility ensures it. Accessible India Campaign has been seen as a massive awareness movement in the country with a holistic approach that includes accessibility of physical infrastructure as well as information and communication technologies. It is the beginning of new possibilities for persons with disabilities. Government of India, however, understands that accessibility has the potential to bring equality which is essential in empowerment of persons with disabilities. Traditionally, disability rights have always been confused with privileges. They are rights not privileges. Therefore, there is a need to move from “charity based approach” to the “rights-based approach.” Awareness and knowledge about disability rights can only bring change in lives of people with disabilities. Accessibility

should be the prime focus in all the development designs. To achieve the vision of “inclusive and accessible India”, we need collective efforts at government, non government organisation, community and individual level. Some of the following initiatives are suggested at national and local level:

- **Followability centric social re-positioning approach** because everyone has some ability. We just need to give opportunity by providing accessibility.
- Start mass movement by organising camps, events, and media to spread awareness.
- Call for volunteer or change agents to raise awareness about Accessible India.
- Create accessibility database using technology. Technology is a great tool in minimising the disabilities and expanding possibilities.
- Persons with Disabilities have to come out themselves as active participants for their rights, not just merely act as clients.
- Persons with disabilities should be made aware of existing policy measures like free education facilities, scholarships, job reservations, aids, appliances and travel concessions, economic assistance for self-employment and unemployment allowances.
- Inspire and engage employers to promote inclusive practices by focussing on accessibility.
- Sensitising parents, guardians, teachers and society.
- By initiating a pledge and signature campaign (*Sumaya Bharat*) in support of Accessible India Campaign, “to celebrate diversity and enhancing abilities” at local level (i.e. in hospitals, schools, colleges, government and corporate offices).

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