

Disability Rehabilitation: A Dream towards Millions of Hopes in India

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Abstract:

This paper describes all possible approaches for rehabilitation of persons with disabilities analyzing existing problems, issues, and focuses on major priorities of the country and state. This conceptual framework suggests guidelines which may be a milestone for a single national strategy for persons with disabilities rehabilitation activities to be implemented. It is based on the concepts of fundamental rights which ensures that each and every individual have right to equal opportunities and should be treated equally before law. No discrimination can be made on the basis of caste, creed and physiological limitations of an individual. The following documents were analyzed for this purpose: Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995; The National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities, Act 1999; Rehabilitation Council of India Act 1992; Convention on the Rights of Persons with Disabilities adopted by the General Assembly of the United Nations on December 13, 2006; also the Standard Rules for Providing Equal Opportunities to the Disabled, adopted at the General Assembly of the United Nations on December 20, 1993 (Resolution

48/96) and the unified inference has been drawn for suggestive framework and guidelines.

Key words: Rehabilitation, Disability, Equality, Non-Discrimination, Inclusion

Overview:

An individual with disability can be referred as temporary/partial or permanent conditional aspect of functional limitation and most critical aspect of disability lead to permanent failure in their day to day life. It can be more vulnerable with their nature of disability and the activities he/she involved. Commonly it represents a person who unable to function independently in the community without any support due to disease, severe injuries, trauma, impairment, psychiatric disorder, chronic illness, congenital, inadequate environment for development or physical disorders, and thus provision of his/her rights necessitates special attitude¹.

Correspondingly, the nature of disability represents a unique hidden feature of the community, society, civil institutions and material environment, due to that people with various physical, intellectual, emotional, mental or sensory problems have no equal chance of opportunities and participation towards their personal development and self-realization.

¹ For comparison in accordance with the law of India on Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995: 'the concept 'Disability' denotes the persons who are suffering from Blindness, Low Vision, Leprosy Cured, Hearing Impairment, Loco motor Disability, Mental Illness and Mental Retardation or "Person with disability" means a person suffering from not less than forty percent of any disability as certified by a medical authority' on the other hand, according to the UN Convention on the Rights of Persons with Disabilities: 'Persons with disabilities are the people-with long-term physical, psychic, intellectual or sensor impairments that, together with the interaction of various barriers might hinder their full, effective and equal participation in the civil life.'

The various concepts such as disease, severe injuries, trauma, psychiatric disorders and chronic illness represent the concept of availability of treatment (medical nature) and emphasis on the specific condition of him/her in reference to the biology or physiological norms. Disability is an unplanned phenomenon which is result of different unexpected or unpredicted disease/disorder, and its explanation and boundaries are reflecting definite social portion of environment. Also the explanation of the term disability laid on a certain acts, policies or different tasks which is implemented towards this group of persons and correspondingly, as a rule, different national agencies or different rehabilitation organizations lays on different definition of disability or the different criteria of identification.

As we saw above, disability covers various aspects of life of an individual. In Indian scenario, most of the population is unaware about the facts of disability and the term 'disability'. The programme implemented by the government of India towards creating the awareness on disability among the community is not totally successful and it can lead to enhancement of disabled population. Still the government of India did not include any chapter on disability in school and college level curriculum.

The other important aspects of disability which is related to the rehabilitation and barrier free environment. Rehabilitation enables them to cope with the existing normal environment with the full extent of participation and barrier free environment allow the persons with disabilities to enjoy the all opportunities and services which is accessible to other citizens of the country.

Thus, the issue related to persons with disability should be focused and discussed on the priority basis keeping the view point of equal human rights and non discrimination², full

² "Discrimination on the basis of disability' means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of

inclusion and equalization of opportunities, that requires not only the legal provision of the right of persons with disabilities, but also a coherent policy and if needed, activation of the principle of a 'positive action'³, for shape the dreams towards millions of hopes.

Problems:

According to Census of India 2011 the total populations of persons with disabilities are almost 30 million (The data is gathered by Office of the Registrar General & Census Commissioner, India, New Delhi) which includes all types of disability. It represents the significant part of the population of India. It also highlights that almost 70 % of disabled population belongs to rural areas and 30% belongs to urban areas. This is the only known facts of disabled population and unknown fact of disabled population may be increase in more numbers.

The majority of disabled populations are often being discriminated by majority of Indian people and some are often being seen as compassion and pity and due to this they suffer from the violation of their actual rights and did not get the respect towards their personal dignity. They face lack of opportunity of self realization and ability to accommodate with normal life. This creates the negative aspects in persons with disabilities, so they do not find themselves as full independent and needed members of the community or society. Obviously they suffer from syndrome of dependence on assistance, and they are characterized with pessimism and the lack of

impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedom in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation." UN Convention on the Rights of Persons with Disabilities.

³ This principle implies not the restoration of formal equality as a temporary means in the environment of strong discrimination, but granting some advantages as needed to the discriminated social groups for achieving actual equality of rights before law.

initiative. Practically, they do not include in the civil and political life, and they do not consider in the decision making process.

Such situation is not acceptable and is incompatible with the pre determined norms of the civil co-habitation; - at the same time it has a direct and negative influence on the community and society. Namely: this origin the result of mutual alienation between the persons with disabilities and the rest part of community and society, dehumanization and fragmentation of the community and society. The state also incurs the financial loss – the persons with disabilities are not included in labor force and are not included in economic life of the community, society, country and the burden of providing financial support is totally transferred to the family, community, society and state and this demolished their dreams towards millions of hopes.

Following particular problems are found related to persons with disabilities:

1. The Indian and State government management of the issues related to Persons with disabilities and existing law, policies and various programmes are ineffective. It reveals that there is no common long-term planning and functioning of inter-agency coordination is poor. Indian government fails to involve the local self governance and community people in the process of rehabilitation and habitation. The government system is also facing the lack of well trained professionals within the management structures.
2. The information, which is related to different types of disability, is still incomplete in comparison to internationally and there is need to develop uniformity while providing the information on different types of disability. There is no stable system for collecting / elaborating the statistics on disability.

3. The government-state-private-local partnership and cooperation connecting with persons with disabilities issues is yet to fully develop. The predetermined structure of state financing of service providing organizations is ineffective.
4. The process of assessment and evaluation (status assignment) of persons with disabilities is inadequate.
5. Practically, no records are maintained about the quality of rehabilitation programme, state, community and civil monitoring and the assessment or evaluation of the running programme connecting to persons with disabilities, and / or it is on minimum level.
6. Implementation of International law/convention and norms is not take place in real situation and in general the degree of international cooperation is low/minimum level.
7. Society recognize the disability as stigma, misbelieves, sin, fate, compassion, pity etc. due to unawareness. The situation is gradually changing and society is ready to inclusion of persons with disability but does not perceive their actual conditions/problems as a priority challenges for the society.
8. The persons with disability face the discrimination in the labor market. Due to inappropriate provision poverty and unemployment are the major issues in current age and it is especially widespread among the persons with disabilities.
9. There is no common economic and social model to strengthen the provision of equal opportunities for the persons with disabilities.
10. Face barriers in access to beneficiary schemes, quality of alternatives, preventive, home care, follow up services, rehabilitation and medical services, community based services, institutional services, artificial limbs, and other

needy devices due to complex procedure and unawareness.

11. The field of rehabilitation is facing the lack of trained specialized professionals in disability area (social worker, physiotherapist, occupational therapist, audiologist, special teacher, psychologist, psychiatrist, etc.) and the frequencies of special training for general teachers, medical professionals, law workers and other personnel are very rare or less.
12. The inclusive education, vocational education and continuing education are generally inaccessible due to depend on the nature of disability and other different aspects.
13. The possibility of full participation, feeling of self-realization, chance of proving their different abilities and access to whole elements of a normal life (sports, culture, drama, competition and entertainment) are limited; the full opportunity movement is yet to begin.
14. Barrier free environment is not successfully implemented. Practically there is no arrangement of physical inclusive environment: relevant constructions are not taken into consideration due to that there is limited chance for the persons with disability to use other technical infrastructure (transport, lift, infrastructure and other communication facilities). Correspondingly, the independent mobility of persons with disabilities and possibility of their full social inclusion is limited.
15. There is a need to develop a common curriculum framework for all. Till this, the different government and non government organization is using different curriculum for persons with disabilities.

Goals and Objectives:

The national goal of Indian legislation and policy in the disability sphere is to ensure equal rights, equal participation and equal opportunities for persons with disabilities that imply creation of standard living atmosphere for them so that they equipped with whole aspects of opportunities towards involvement in the socio-economic development, socio-cultural development and socio-political development by observing the principles of humanism, brotherhood and equality. The democracy benefit such as positive support and natural friendly physical or cultural environment, living circumstances and transport, social and medical health care services, proper literacy and employment, virtual relationship, politics, sports and recreational opportunities – should be equally accessible for all.

To achieve all these, the national legislation and policy shall consider the following issues as three major objectives:

1. Development of an appropriate natural condition for achieving self-esteem and dignified life for persons with disabilities; eliminate actual gap and discrimination through proper development of inclusive environment⁴.
2. Arrangement of an excellent platform for rehabilitation and empowerment for persons with disabilities through immediate early screening, identification and early intervention, appropriate treatment, immense care and suitable provision with assisting facilities and education.

⁴ Inclusive environments are based on the principle of equality. interpreted as unity of physical, institutional and social conditions that provide equal opportunities and full participation to the persons with disabilities to enjoy all the public benefits that implies access to all the public places, also equal opportunities for participation in all the civil activities and events (cultural, sports, political, competition, employment, etc.), and also equal opportunities for enjoy all types of information and communication channels.

3. Create awareness in the society including different professionals and decision makers – central, state, district and local authorities, representative of the media and business sector – regarding the different issues related to persons with disabilities, making them motivated, inspired, interested and mobilized.

Modus Operandi:

1. Effective action is needed in rehabilitation management, balanced coordination, and information disseminating among different governmental and non-governmental agencies representing the persons with disabilities and other parties
2. An open forum for persons with disabilities with their guardians / relatives is needed and their full cooperation with ensured participation is necessary in decision making; voluntary organizations and representation of their own interests should be encouraged and promoted.
3. National, state, community and local level monitoring should be introduced in the relevant sphere with an urgent involvement of persons with disabilities; civil awareness should be raised regarding the maximum possibility to protect their desires and values.
4. National and state policy should be emphasis on achieving significant result, if necessary, on the grass-root level activities.
5. It is needed to restructure the different activities based on the facts finding, evidences, genuine information and different research recommendation; to achieve comprehensive and reliable approaches and reorganize the analysis.
6. The different activities which are related to persons with disabilities should be compiled together in the unified national and state programs.

7. The rehabilitation programs and planning should be based on the grounds of predefined criteria of categorization, in connection to particular legislation and policy, individual necessities and provisions with resources.
8. For providing equal opportunities, protection of rights and full participation to persons with disabilities it is needed to observe civil justice considering the interest of other population.
9. All programs for ensuring the equal opportunities, protections of rights and full participation for persons with disabilities should be supported by effective (industrial or non-industrial) economic framework.
10. The current situation demands to follow and observe emerging nature of disability, gender equality, literacy rate, rights of persons with disabilities and recognize whole human rights while implementing all the needy actions.

Priorities of the Legislation, Policy and Action:

Effective legislation, policy and justice full action is the backbone of a nation. With the purpose of achieving the Indian Legislation and Policy goals and objectives in the whole areas of disability it is needed to development of effective plan and implement specific strategies coherently, and utilize maximum resources properly. It should be on the basis of actual conditions and prospects of emerging challenges. For this it is necessary to point out main priorities in each and every aspects of rehabilitation and habilitation of persons with disabilities so that we can empower them in every sectors of life and they can be a genuine part of the community, state and nation and contribute their best.

The current situation shows the chaotic status and much constraint environment to disability. The government of India should pay special attention on the following four main areas on priority basis which can be a milestone in the field of disability.

These four priorities are:

- Education
- Employment
- Creation of the inclusive/barrier free environment
- Creation of the actual platform for self-realization

Within the Indian legislation and policy framework, the above mentioned four priorities, and partially beyond them, it is possible to define whole aspects of secondary priorities. Few of these national and state priorities are common nature and despite strong links with disability, goes beyond of this concept (e.g. early screening, early identification, early intervention in connection to prenatal, natal, postnatal, diagnostic, genetic examination of high-risk parents; proper checkup of prospective mother and the community in general regarding the medical risks and their corrective measures; initiating the healthy life style among the community and society; medical preventive measures – scheduled vaccination, advertisement of health safety, sanitation surveillance, follow up service, enhancement of safe transportation, introduction and maintenance of labor work safety, etc.); and remain are specific directly attached with disability and thus represents the subject of discussion of this documents:

1. Elaboration and Implementation of Legislative Framework, Policy and Special Program:

It is needed to explore and begins of strategic documents, legislation, sub legislative acts, policy and different norms; activate the national, state, district, block and local

coordination and consultation structure; predetermined the coordination, referral services and helping nature among different agencies; introduce the new social – community model and the approach addressing at the provision of equal human rights in reference to persons with disabilities; developing relevant classification of persons with disabilities in connection to future programs with available resources. For planning and implementing all these it is important that central and state government should have comprehensive and quality data on disability, meticulous and skilled perfection of the system is also required for disseminating, gathering and analyzing this information; it is the demand of time to enhance the state-social-community-local partnership, development of new way for financing the sphere by taking into account of earned experience, opportunities and requirement of service providers working in the country, also through following the experiences of international models.

2. Development and Training of Professional Human Resources:

In India, field of rehabilitation is facing the lack of well trained professionals and many workers are giving training to disabled persons without proper knowledge and lack of skill. There is a need to develop well trained professional which will serve persons with disabilities. We need to develop more social workers, special educator, speech therapists, occupational therapists, audiologists, physiotherapists, homecare specialists, resource room teachers, itinerant teachers, psychiatrists, psychologists and community workers. It is also necessary to fix their duties accordingly to their ability and work experiences.

3. Activate and Support to the Local Government, Community, Civil Sector and Private Initiate

In the field of rehabilitation we cannot imagine the whole development without the support of private sectors because the

governments have a limited budget for each and every program. Private sectors can play crucial role so national and state level private partnership should be widely promoted and national private sectors, international private sectors, non-government organizations, community, civil and local government should be included in the implementation of national and state programs.

4. Employment, Economic Support and Vocational Training:

The Indian government systems implement the 3% reservation for persons with disability in Indian government recruitment sector which is very less in comparison to other countries government recruitment. There is no any reservation for other types of disability except Visual impairment, Hearing impairment and Orthopedically Handicapped which requires more attention. It is necessary to eliminate the discrimination and include all types of disabilities under government recruitment process. The government of India should create the system for vocational education/training and employment for the disabled persons; promote and support self-employment of the disabled persons and their participation in small business.

5. Development of Standardized Living Conditions and Social Protection:

Representation of disability should be genuinely include while implementing state-district-local programs and especially – national program of social security and assistance; different unique target programs should be emphasized for persons with disabilities (until the unified – national program meet these needs) on the base of their preliminary assessment and evaluation of their needs. It will work in improving their standard living conditions and the quality of life, for providing the subsistence minimum for them and this should also imply that the expenses resulted from their specific needs are covered.

6. Quality Treatment and Quality Rehabilitation:

The prospects of disability are incomplete without provision of quality treatment and quality rehabilitation. Undoubtedly, it represents the one of the national priorities in the sphere of healthcare. Within the framework of such priority it is necessary to make action plan for the persons with disabilities for quality treatment and quality rehabilitation (including rural and remote areas); implement the special camp that are intended for persons with disabilities, among them – the effective medical insurance, strengthening the existing system, monitoring of occurred treatment that is govern by the government (all these represents a primary part of national healthcare and rehabilitation program and ultimately this should be accessible to persons with disabilities); provision for persons with disabilities with artificial limbs, different aids, training of rehabilitation facilities and different instruments.

7. Services and Service Providers:

The persons with disabilities needs various services depends on their nature of disabilities. It is needed to assess their actual needs which reflect the services and different service providers. It is necessary to provide the support and stimulate the key service providers and new services, regulate and observe the quality of service providers by involving the different professional associations, different organizations of persons with disabilities and civil society.

8. Inclusive and Specialized Education:

In current age, inclusive education is most debatable issue in around the world and most countries are in favor of inclusive education. Government of India has implemented the program of inclusive education throughout the country but still it is not implemented successfully. It is necessary to remove the barrier which is creating constraints in successful implementation of inclusive education. It is also needed to sensitized and proper

train the professional working in the rehabilitation fields towards inclusive education; equip educational institutions and organization with relevant appliances so they serve better towards the needs of persons with disabilities; it should be accompanied through the introduction/perfection of the management for categorization of persons with disabilities (children and adults) from the viewpoint of the opportunities of their inclusive education, by using the prospects of tailored (e.g. home based education, centre based education, formal education and non-formal education).

9. Residential Institutions and Deinstitutionalization:

It is needed to develop a wide plan of deinstitutionalization of persons with disabilities in connection to freedom of choice and maximum usages of alternative models (home based, community based, centre based, family-type etc.), in each case continuing monitoring should be done; wide social cooperation to the parents and caregivers, also the foster families group, their training and thorough examination; deep study of the circumstances and needs of the residential institutions and radical development of living conditions of the persons at working organization.

10. Barrier Free Environment:

Barrier free environment is one of the major constraints in the full rehabilitation of persons with disabilities. The existing law, policy and norms which is related to creation of barrier free environment or inclusive physical environment should urgently be in action and monitored (special path, elevator, transportation, ramp, lift with sound etc.); it is needed to cooperate, stimulate and initiate the construction of barrier free environment towards the persons with disabilities in the civil/public areas.

11. Inclusion in the Civil Life:

It is needed to include the persons with disabilities among the civil life by providing the different means of technologies and communication; in public places we can ensure the optimum inclusion of persons with blindness and persons with hearing impairment by using the Braille and its analogous systems (printing of magazines and news papers, etc.) and usages of visual/sign languages; arrangements of wheel chairs, other required aids and communication facilities (telephone, internet) for the people with limited mobility; inclusion of persons with disabilities in civil life, encourage them to participate in civil activities and creation of natural condition where they can feel 'they are members of the society' also, conducting of special programs (cultural, sports, competition) and support to Paralympics movement.

12. Raising the Awareness of the Society and Enhancement of Sensitivity:

The media and journalism have a crucial role in raising the awareness towards persons with disabilities in society, the media persons and journalists should address the different problems/issues and gap to the government; it is necessary to organize the public and professional discussion, seminars, symposium, workshop, conference on the current disability issues/problems and highlight them in media; active participation of media and journalist representative in public discussion; current disability issues should be widely and jointly discussed at public discussion, training programs and facilities; coverage of success stories by persons with disabilities in odd conditions or to highlights the achievements of persons with disabilities and the success of the different governmental and nongovernmental sectors as well.

13. Adaptation of New Ideas & Action:

For strengthening the Indian acts and policies and initiative of new programs it is needed to adapt the new ideas from the international acts and policies. There should be a monitoring committee who observe the innovation in the field of disability internationally and suggest accordingly to government of India.

Summary:

Persons with disabilities need not be an obstacle to success. Indeed it is the moral duty of central and state government of India to remove the constraints to effective participation and to provision of adequate funding and specialists to unlock the hidden potential of persons with disabilities. It is very difficult to overlook the hundreds of millions of persons with disabilities who are denied access to health, rehabilitation, support, education, employment, equality, non-discrimination, and never get the chance to shine. This paper makes recommendations for action at the local, state and national levels. It will thus be an invaluable suggestion for professionals, policy makers, researchers, practitioners, advocates, organizations and volunteers involved in disability. It is my hope that beginning with the different legislation, policies and convention on the Rights of Persons with Disabilities, will create a new platform for inclusion of persons with disabilities in the lives of their community and societies and it will fulfill their dreams and millions of hopes.

BIBLIOGRAPHY:

Andrew, M.C. (1976). Children with a handicap and their families, *Child: Care, Health, and Development*, Vol. 2, pp. 213-237.

- Beresford, B. (1994). Resources and Strategies: How Parents Cope with the Care of a Disabled Child, *Journal of Child Psychology and Psychiatry*, Vol. 35, pp. 171-209.
- Concept Paper on Social Integration of the People with Disabilities.(http://www.parliament.ge/files/880_20803_586516_DisabilityConcept_finaldraft_Eng.pdf, accessed 20 September 2014).
- Ministry of Home Affairs. (2013). Office of the Registrar General: Census of India 2011, Data on Disability. (http://www.censusindia.gov.in/2011common/Latest_Release.html, accessed 10 October 2014).
- Ministry of Social Justice & Empowerment. (1995). Persons with Disabilities Equal Opportunities, Protection of Rights and Full Participation Act India. (<http://www.socialjustice.nic.in/pwdact1995.php>, accessed 20 September 2014).
- Ministry of Social Justice & Empowerment. (1999). The National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act India. (<http://www.socialjustice.nic.in/pdf/ntact199.pdf>, accessed 12 October 2014).
- Ministry of Social Justice & Empowerment. (1992). Rehabilitation Council of India Act, India. (www.svayam.com/pdf/the_rci_act1992&amendment_act_2000.pdf, accessed 12 October 2014).
- Mishra, AK., & Gupta, R. (2006). Disability Index: A measure of Deprivation Among the Disabled. *Economic and Political Weekly*, Vol. 41, 4026-4029.
- United Nations General Assembly. (1993). Resolution 48/96 & Adoption of Standard Rules for Providing Equal Opportunities to the Disabled. (<http://www.un.org/disabilities/default.asp?id=26> accessed 18 October 2014).

United Nations General Assembly. (2006). UN Convention on the Rights of Persons with Disabilities. (www.un.org/disabilities/documents/convention/convoptprot.pdf, accessed 12 October 2014).

United Nations Economic and Social Commission. (2010). Biwako Millennium Framework for Asia and the Pacific: Improvement of disability measurement and statistics, Bangkok. (http://www.unescap.org/stat/disability/index.asp#recent_activities, accessed 29 September 2014).