

PalArch's Journal of Archaeology of Egypt / Egyptology

Persons with Disability and Work Participation: An Analysis in Indian Context

Mouchumi Kalita¹, Minakshi Koch², Gitika Borah³

^{1,2,3}, Doctoral Fellow, Department of Political Science, Gauhati University, Guwahati, India

Mouchumi Kalita, Minakshi Koch, Gitika Borah: Persons with Disability and Work Participation: An Analysis in Indian Context -- Palarch's Journal Of Archaeology Of Egypt/Egyptology 17(9). ISSN 1567-214x

Keywords: Disability, Work Participation, India, NSS, Persons with Disability

ABSTRACT

Persons with disability living in India have been facing various kinds of 'disability', other than their physical disability, in other dimensions of life due to lack of availability of adequate requirements in different spheres. They are capable of participating in the work force provided adequate and disabled person-friendly environment exist in the workplace. Even though they are not capable of doing all kinds of work, with proper facility and equipment they can do many work which are considered as the work of persons who are not disabled. This article argues that in India work force participation of persons with disability is very less but this does not indicate the inability of such persons. Rather it is the lack of adequate disabled-friendly work environment or more appropriately it is the result of inability on the part of the government to provide with such work environment. This article attempts to understand the status of persons with disability in India along with analyzing the scenario of work participation of the persons in Indian society.

1. Introduction

Disability is thus not just a health problem. It is a complex phenomenon, reflecting the interaction between features of a person's body and features of the society in which he or she lives. Overcoming the difficulties faced by people with disabilities requires interventions to remove environmental and social barriers.

World Health Organisation (WHO)

Divergence of opinion can be found regarding the estimation of persons with disability living in India. Different sources offer different statistics regarding this issue. Disabled persons have been struggling for their due entitlements. If we look at the history of Disability Rights Movement in Indian context, it has been seen that it started only in the early 1990. (Singh, 2014) India is a signatory to various international treaties which deal with the rights of the

persons with disability. For the inclusive development of a society participation of people from every strata of the society is very important. Hence participation of the persons with disability in the work force is very vital for the development of a society as well as for their own development. Moreover, work environment should be suitable for the disable persons. It has been found in various sources that persons with disability have been suffering from multiple deprivations in India. Their necessities have remained unfulfilled. In many facets of their life they have been getting limited opportunity. Moreover affirmative actions taken by the government is also not adequate for the fulfilment of their basic needs. Furthermore, most of the households having people with disability are from the poor and marginalised section of the society. Such households lack adequate food, represents illiterate members and children who are not enrolled in schools. Moreover such households have lower employment rates, and people are also not aware of the entitlements and services available for persons with disability. One of the most apparent reasons behind the inter-linkage between disability and poverty can be identified as the low rate of employment of persons with disability. Despite being capable of working most of the time persons with disability do not get opportunity to participate in the workforce. (Menon et al., 2014)

It has been seen that Persons with disability in India face many challenges while looking for employment opportunities to engage themselves in the work force. Such challenges are like lack of opportunities to develop employable skills to get meaningful employment, lack of disability-friendly works, lack of conditions of decent work, etc. Although India has ratified the United Nations Convention on the Rights of People with Disability (UNCRPD), persons with disability have been facing continuous difficulties in the labor market. (Shenoy, 2011) Moreover, India has enacted an Act named “The Rights of Persons with Disabilities Act, 2016”.

As per Census 2011, in India, out of the 121 Cr population, about 2.68 Cr persons are ‘disabled’ which is 2.21% of the total population. A disability is a result of the interaction between a person with a health condition and a particular environmental context.

(Disabled persons in India: A Statistical Profile, 2016)

2. Objectives

This paper deals with the following two objectives-

- a) To understand the status of persons with disability in India.
- b) To analyse the conditions of persons with disability in the context of work force participation.

3. Data Sources and Methodology

The data for this paper have been collected from various secondary sources like journals, books, government reports and other internet sources. Mainly data from National Sample Survey of 76th Round, (July-December, 2018), Report No 583 has been used. This paper mainly follows the descriptive analytical method of study.

Defining Disability:

There is not any unanimous definition of disability. Different scholars and organisations have defined it in a variety of way. They have identified different criteria to identify someone as ‘disabled’. Disability can be influenced by one’s environment, adaptability, availability and access to various resources, etc. Hence, disability may be of different ranges depending on such dimensions. In other words, socio-economic conditions can play a significant role in reducing or increasing the disability of a person. Therefore, differences in terms of range and types of disability can be found. As it has been seen that

From the conceptual point of view, there is no universal definition of what constitutes a disability or of who should be considered as having a disability. Moreover, there is no one static condition of disability. A disability is a result of the interaction between a person with a health condition and a particular environmental context. Individuals with similar health conditions may not be similarly disabled or share the same perception of their disability, depending on their environmental adaptations. For example, having access to technical aids, services or medication, or physical adaptation to the environment may allow individuals to overcome their disabling conditions. Disability is not an all-or nothing phenomenon but involves degrees of difficulty, limitation or dependence, ranging from slight to severe.

(Disabled persons in India: A Statistical Profile, 2016)

But various definitions of disability can be found. Some important definitions are discussed here. According to the Rights of Persons with Disabilities Act, 2016; ““person with disability” means a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others.“Barrier” means any factor including communicational, cultural, economic, environmental, institutional, political, social, attitudinal or structural factors which hampers the full and effective participation of persons with disabilities in society.”

World Health Organisation considers disability as an “Umbrella term, covering impairments, activity limitations and participation restrictions. Impairment is a problem in body function or structure. An activity limitation is a difficulty encountered by an individual in executing a task or action; while a participation restriction is a problem experienced by an individual in involvement in life situations”.

The classification of disabilities according to the PWD Act, 2016 is provided in the table below.

Classification of disabilities according to the PWD Act, 2016 by National Sample Survey, 76th Round, July-December, 2018		
(1) Locomotor disability	(3) hearing disability:	(6) mental illness
(i) acid attack victims, (ii) leprosy cured person, (iii) polio, (iv) cerebral palsy (v) dwarfism, (vi) muscular dystrophy (vii) other locomotor disability	(x) hearing disability:	(xv) mental illness
	(4) speech and language disability	(7) Other disabilities
	xi) speech and language disability	(a) <i>chronic neurological conditions</i> (xvi) parkinson's disease, (xvii) multiple sclerosis, (xviii) other chronic neurological conditions, (b) <i>blood disorder</i> (xix) thalassemia (xx) haemophilia (xxi) sickle cell disease
	(5) mental retardation/ intellectual disability	
(2) visual disability	(xii) specific learning disabilities	(8) Multiple Disabilities
(viii) blindness (ix) low vision	(xiii) Autism Spectrum Disorder (xiv) other mental retardation/ intellectual disability	(xxii) more than one of the above specified disabilities including deaf blindness

Source: NSS 76th Round, (July-December, 2018), Report No 583

Status of Persons with Disability in India

According to the Census of India Report, 2011, there are about 2.68 Cr disable persons of the total population of 121 Cr, which is 2.21% of the total population. (Disabled Persons in India: A Statistical Profile, 2016) It has been found that the percentage of persons with disability in the population in India is 2.2 per cent. Prevalence of disability is higher in rural areas than the urban areas. It is 2.3 per cent in rural areas and 2.0 per cent in the urban areas. Moreover, it has been found that prevalence of disability is higher among males than females. Prevalence of disability is 2.4 per cent among males and it is 1.9 per cent among females. (NSS 76th Round, 2018) Again in the context of educational attainment or literacy rate of persons with disability, it has been found in the NSS Report that 52.2 per cent were literates in the age group of 7 years and above. Again among the persons with disability of the age group 15 years and above, 19.3 per cent had highest educational level which is secondary level and above. It has been found that in the age group of 3 to 35 years 10.1 per cent attended pre-school intervention programme. Besides, 62.9 per cent persons of the age group of 3 to 35 years were found ever enrolled in ordinary school. Apart from this, it has been reported that 4.1 per cent persons

of the age group of 3 to 35 years were ever enrolled in special school. These persons were among those who were not enrolled in ordinary school or were enrolled in ordinary school but were not presently attending. (NSS 76th Round, 2018) Again if we examine the living arrangement and issues related to it, it has been found that 3.7 per cent persons with disability were living alone. In addition to it, 62.1 per cent of persons with disabilities had care giver, for 0.3 per cent of the persons with disabilities caregiver was required but not available and for another 37.7 per cent of the persons with disabilities no caregiver was required. Moreover, in the context of the issue of receiving aid it has been found that 21.8 per cent of persons with disability received aid/help from Government, 1.8 per cent received aid/help from organisation other than Government and another 76.4 per cent did not receive aid/help from any kind of source. Again regarding the issue of having certificate of disability it has been found that 28.8 per cent persons with disability had certificate of disability. (NSS 76th Round, 2018)

India's Legislative Measures towards Protecting the Rights of the Persons with Disability

India has both signed and ratified 'The UN Convention on Rights of Persons with Disabilities'. This convention is considered as 'historic and path-breaking' due to some reasons like 'protection for persons with disabilities and in relation to the unprecedented level of civil society input and engagement in the negotiation process'. It brought changes to the idea of disability in the context of international human rights law. *It embraces a social-human rights model that focuses on capability and inclusion: on lifting the environmental and attitudinal barriers that prevent persons with disabilities from full inclusion and equal participation in all aspects of community life.* (Kothari, 2010)

If we look at the Indian context, there are some significant legislative measures for the protection of rights of persons with disability. In 1995, 'The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act (PWD Act)' was enacted in India. This Act was enacted after India's participation in the Asian Decade for Promotion of Disability Rights. Passing of this PWD Act can be considered as remarkable development since for the first time this Act recognises and protects the social and economic rights of persons with disabilities in India.

The PWD Act enacted in 1995 was a legislative attempt to protect the rights of persons with disabilities. This was not done on a platform of the right to equality, but only on the platform of social welfare. This statute was enacted by the government of India mainly due to international pressure and to earn significant goodwill under the Asian Pacific Decade for the Disabled (2003-12). Thus, the PWD Act is seriously lacking in many respects. The main provisions of the PWD Act require the State to reserve a quota for persons with disabilities in public employment and educational institutions that are funded or receive aid from the State. The right to access to the built environment and transportation are dependent on the resources of the State. This resource

linked programmatic perspective of the PWD Act makes it a rather soft articulation of a rights-based approach to disability right. (Kothari, 2010)

Again in 2016 another Act came into existence, i.e. 'The Rights of Persons with Disabilities Act, 2016'. This Act grants four percent reservation in Government and public sector jobs for persons with benchmark disabilities. The previous Act had provided reservation only for three categories of disabilities such as locomotor, visual and hearing disability. But the new Act has taken account of some other kinds of disabilities and reservation has been extended to such persons too. This Act embraces Cerebral Palsy, Leprosy cured, Dwarfism, acid attack victims, Muscular Dystrophy, Autism, intellectual disability, specific learning disability, mental illness and multiple disabilities including deaf-blindness within its gamut. Moreover, this Act also demands that private sector needs to devise 'equal opportunity policies' along with maintaining data on employees with disabilities. In addition to these provisions, this Act has also strong clauses on non discrimination and accessibility and such clauses can be applied to the private sector also. (Parallel Report of India on the Convention on the Rights of Persons with Disabilities (CRPD), 2017) Presently, disability related issues in India are addressed by the Department of Empowerment of Persons with Disabilities, which comes under the Ministry of Social Justice and Empowerment. (<http://disabilityaffairs.gov.in/content/>, accessed on 27.07.2020) The government of India has also undertaken other initiatives for persons with disability. For instance, initiatives like the 'Accessible India Campaign' to make public spaces and transportation barrier-free for persons with disabilities can be mentioned. (<http://disabilityaffairs.gov.in/content/page/accessible-india-campaign.php>, accessed on 27.07.2020) The sitting Prime Minister of India, Narendra Modi has promoted the usage of the term '*Divyangjan*' which refers to "those with divine abilities" as an alternative to the term "Persons with Disability". But, disability rights activists did not support it and considered it as 'condescending' and 'derogatory'.

Work Participation of Persons with Disability in India

Persons with disability have been facing various kinds of challenges due to their disability. For their development steps towards their empowerment is very essential. It is said that economic condition of persons plays a very significant role in making people empowered. Therefore, in case of disable persons too economic viability works as a determining factor. Good economic conditions can be of great help in providing a normal life to persons with disabilities. Availability of disability-friendly work and participation of persons with disability in such work force may lead to their economic empowerment. Along with educational attainment, getting opportunities to participate in the work force is very vital for the empowerment of disable persons.

With regard to labour force participation rate, worker population ratio in usual status (ps+ss) and unemployment rate among persons of age 15 years and above with disabilities, NSS report shows the following findings. It has been

found that, labour force participation rate among persons with disabilities of age 15 years and above in usual status (ps+ss) was 23.8 per cent. Again among persons with disabilities of age 15 years and above, Worker Population Ratio in usual status (ps+ss) is 22.8 per cent. Apart from this, unemployment rate in usual status (ps+ss) among persons with disabilities of age 15 years and above was 4.2 per cent.

But persons with disability have been facing many challenges in their work places. Their cost of work becomes higher. Because they need to put greater effort to get employment compared to other persons of society or persons without disability. Moreover,

At the same time, a disability may make a person less productive, especially if the workplace environment is not accommodating, or it may be that the person is perceived as being less productive, and is thus likely to be offered a lower market wage.

(Mitra & Sambamoorthi, 2006)

Following tables can be helpful in understanding the trends in this regard.

Indicators of Employment and Unemployment among Persons of Age 15 Years and above with Disability in Usual Status (ps+ss)			
Indicator	male	female	all-India
			person
	rural		
Labour Force Participation Rate (LFPR in per cent) among persons with disability	36.8	8.0	24.5
Worker Population Ratio (WPR in per cent) among persons with disability	35.5	7.8	23.7
Unemployment Rate (UR in per cent) among persons with disability	3.5	2.5	3.3
	urban		
Labour Force Participation Rate (LFPR in per cent) among persons with disability	33.9	7.2	21.9
Worker Population Ratio (WPR in per cent) among persons with disability	31.7	6.6	20.4
Unemployment Rate (UR in per cent) among persons with disability	6.5	7.9	6.7
	rural+urban		
Labour Force Participation Rate (LFPR in per cent) among persons with disability	36.0	7.7	23.8
Worker Population Ratio (WPR in per cent) among persons with disability	34.5	7.4	22.8
Unemployment Rate (UR in per cent) among persons with disability	4.2	3.9	4.2
<i>Note: Usual status (ps+ss) is determined considering usual principal status and subsidiary economic activities together</i>			

Source: NSS 76th Round, (July-December, 2018), Report No 583

Percentage distribution of workers in usual status (ps+ss) with disability of age 15 years and above by broad status in employment, by broad industry of work and percentage share of informal sector among regular wage/salaried employees with disability of age 15 years and above in nonagriculture sector

Indicator		all-India		
		male	female	person
		rural		
Percentage distribution of workers in usual status (ps+ss) with disability of age 15 years and above by broad status in employment	self-employed	65.7	57.8	64.6
	regular wage/salaried employees	8.6	10.8	8.9
	casual labour	25.7	31.5	26.5
	all	100.0	100.0	100.0
Percentage distribution of workers in usual status (ps+ss) with disability of age 15 years and above by broad industry of work	agriculture sector	61.1	69.5	62.2
	secondary sector	16.3	13.6	15.9
	tertiary sector	22.7	16.8	21.8
	all	100.0	100.0	100.0
Percentage of regular wage/salaried employees in usual status (ps+ss) of age 15 years and above with disability engaged in non-agriculture sector who were working in informal sector		31.4	13.8	28.4
		urban		
Percentage distribution of workers in usual status (ps+ss) with disability of age 15 years and above by broad status in employment	self-employed	46.8	34.3	45.0
	regular wage/salaried employees	32.4	38.8	33.3
	casual labour	20.8	26.9	21.7
	all	100.0	100.0	100.0
Percentage distribution of workers in usual status (ps+ss) with disability of age 15 years and above by broad industry of work	agriculture sector	6.6	7.1	6.7
	secondary sector	31.8	34.9	32.2
	tertiary sector	61.6	58.0	61.1
	all	100.0	100.0	100.0
Percentage of regular wage/salaried employees in usual status (ps+ss) of age 15 years and above with disability engaged in non-agriculture sector who were working in informal sector		32.2	17.3	29.8
		rural+urban		
Percentage distribution of workers in usual status (ps+ss) with disability of age 15 years and above by broad status in employment	self-employed	61.0	51.8	59.7
	regular wage/salaried employees	14.5	17.9	15.0
	casual labour	24.5	30.3	25.3
	all	100.0	100.0	100.0
Percentage distribution of workers in usual status (ps+ss) with disability of age 15 years and above by broad industry of work	agriculture sector	47.6	53.6	48.4
	secondary sector	20.1	19.1	20.0
	tertiary sector	32.3	27.3	31.6
	all	100.0	100.0	100.0
Percentage of regular wage/salaried employees in usual status (ps+ss) of age 15 years and above with disability engaged in non-agriculture sector who were working in informal sector		31.8	15.9	29.2
<i>Note. 1. Informal sector: Proprietary and partnership enterprises are considered here as informal sector. 2. Agriculture sector: NIC-2008 codes 01-03, secondary sector :NIC-2008 codes 03-43, tertiary sector : NIC-2008 codes 45-99 3. Usual status (ps+ss) is determined considering usual principal status and subsidiary economic activities together.</i>				

Source: NSS 76th Round, (July-December, 2018), Report No 583

Again,

As per the data of the Ministry of Labour and Employment, there has been a consistent increase in the number of persons with disabilities on the Live Register from 565,900 in 2004 to 717,200 in 2013 but the number of

placements of people with disabilities by the Employment Exchanges has been steadily declining over the years. It was 4200 in 1999, 3700 in 2008, only 2100 in 2012 and just 1871 in 2013. 89 Correspondingly, the total number of placements of non disabled people by the Exchanges has increased for the same period, from 177,700 in 2000 to 304,900 in 2008 and to 427,600 in 2012.90 There has been no measures taken to improve the functioning of these employment exchanges with regard to the placement of people with disabilities.

(Parallel Report of India on the CRPD, 2017)

4. Conclusion

Thus it has been seen in the above discussion that despite facing numerous challenges persons with disability in India have been engaging themselves in the workforce. Even though lack of well equipped work environment hinders their accessibility to employment, a large number of persons with disability have been working both in the public and private sectors. It can be observed from the above discussion that persons with disability have been working in a variety of fields like agriculture, industries, regular wage workers etc. Some of them are also self employed persons. Moreover, there are differences in number of persons with disability participating in the work force in the context of urban and rural areas. Various legislative measures can be seen both in the international and national level for the protection of the rights of the persons with disability. Initiatives taken by the Government of India is also notable in this regard. But such measures are neither sufficient for the development of the conditions of such people nor these are noteworthy in bringing empowerment to them. Some disability-friendly practical and truly applicable steps should be taken for the advancement of different needs and demands of the persons with disability by the government.

5. Way Ahead

As it has been seen in the above discussion that persons with disability have been facing various challenges in the issue of engaging themselves in the work force, some measures for the improvement of their conditions in this regard can be outlined. Such measures are like-

- a) Providing disability-friendly work environment with well equipped work conditions where their physical disability does not hold them back from giving their best effort and performance.
- b) Although affirmative action like reservation for persons with disability is helpful in getting jobs, principle of equality should also be observed in the process of recruitment to various jobs. In other words, physical disability should not hinder their accessibility to jobs.
- c) Legislative measures should truly represent the interest of the persons with disability. Such measures should be relevant and realistic.

References

- Biggeri, M., Mauro, V., Deepak, S., Trani, J.-F., Kumar, J., & Ramasamy, P. (August 01, 2014). Do community-based rehabilitation programmes promote the participation of persons with disabilities? A case control study from Mandya District, in India. *Disability and Rehabilitation*, 36, 18, 1508-1517.
- Bualar, T. (January 01, 2011). Physically disabled women's creditworthiness in Village Development Fund: Evidence from Thailand. *Development in Practice*, 21, 848-859.
- Cobley, D. S. (January 01, 2013). Towards economic participation: examining the impact of the Convention on the Rights of Persons with Disabilities in India. *Disability and Society*, 28, 4, 441-455. DOI: 10.1080/09687599.2012.717877
- Convention on the Rights of Persons with Disabilities, <https://www.un.org/disabilities/documents/convention/convoptprot-e.pdf>, accessed on 10.07.2020
- Employment Rights of Disabled Women in India : A Study of Compliance and Impact of the Persons with Disabilities Act with Special Reference to UP, Rajasthan, Bihar, Maharashtra and Tamilnadu. Sponsored by National Commission for Women, Govt. of India. Society for Disability and Rehabilitation Studies, New Delhi.
- Kothari, Jayna. (May 01, 2010). The UN Convention on Rights of Persons with Disabilities: An Engine for Law Reform in India. *Economic and Political Weekly*, 45, 18, 65-72.
- Kumar, Arun, Sonpal, Deepa, & Hiranandani, Vanmala. (2012). *Trapped Between Ableism And Neoliberalism: Critical Reflections On Disability And Employment In India*. ([https://eprints.lancs.ac.uk/id/eprint/59667/1/Trapped Between Ableism and Neoliberalism Critical Reflections On Disability And Employment In India](https://eprints.lancs.ac.uk/id/eprint/59667/1/Trapped_Between_Ableism_and_Neoliberalism_Critical_Reflections_On_Disability_And_Employment_In_India))
- Mehrotra, N. (February 05, 2011). Disability Rights Movements in India: Politics and Practice. *Economic and Political Weekly*, 46, 6, 65-72.
- Menon, N., Parish, S. L., & Rose, R. A. (October 02, 2014). The "State" of Persons with Disabilities in India. *Journal of Human Development and Capabilities*, 15, 4, 391-412. DOI: 10.1080/19452829.2014.938729
- Singh, P. (July 01, 2014). Persons with Disabilities and Economic Inequalities in India. *Indian Anthropologist*, 44, 2, 65-80.
- Sophie, M., & Sambamoorthi, U. (January 21, 2006). Employment of Persons with Disabilities: Evidence from the National Sample Survey. *Economic and Political Weekly*, 41, 3, 199-203.
- Sophie, M., & Sambamoorthi, U. (September 23, 2006). Disability Estimates in India: What the Census and NSS Tell Us. *Economic and Political Weekly*, 41, 38, 4022-4026.
- The Rights of Persons with Disabilities Act, 2016, <https://pib.gov.in/newsite/printrelease.aspx?relid=155592>

Employment Rights of Disabled Women in India : A Study of Compliance and Impact of the Persons with Disabilities Act with Special Reference to UP, Rajasthan, Bihar, Maharashtra and Tamilnadu. Sponsored by National Commission for Women, Govt. of India. Society for Disability and Rehabilitation Studies, New Delhi.

(2017). Parallel Report of India on the Convention on the Rights of Persons with Disabilities (CRPD). National Disability Network (NDN) & National Committee on the Rights of Persons with Disabilities (NCRPD)

(2018). *Persons with Disabilities in India*. Government of India, Ministry of Statistics & Programme Implementation. National Statistical Office. <http://disabilityaffairs.gov.in/>