



# Training and Employment of People with Disabilities: India 2002

S.K. Rungta



# **Training and Employment of People with Disabilities: India 2002**

*An AbilityAsia Country Study*

**S. K. Rungta**

**International Labour Office**

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## Preface

*Training and Employment of People with Disabilities: India 2002* is part of the *AbilityAsia Country Study Series*. The series was designed as a contribution to the end of the Economic and Social Commission for Asia and the Pacific (ESCAP) Asia and Pacific Decade of Disabled Persons, 1993-2002, and to mark the 20<sup>th</sup> anniversary of the International Labour Organization (ILO)'s Convention No. 159 Concerning Vocational Rehabilitation and Employment (Disabled Persons).

One of the primary purposes of the *Country Study Series* is to contribute to the knowledge base on people with disabilities in Asia and the Pacific. According to World Health Organization estimates, people with disabilities represent 10 per cent of the population of developing countries. Yet, in many countries, people with disabilities are “invisible”. Little reliable data exists about their numbers, needs and achievements. While they are recognized as among the poorest of poor, people with disabilities typically face barriers to the very services that might lift them out of poverty, such as education, vocational training, and employment and business development services.

Another objective of the *Country Study Series* is to provide baseline data about the status of education, training and employment of people with disabilities. This purpose takes on greater significance in light of the adoption of the ESCAP Asia and Pacific Decade of Disabled Persons, 2003 to 2012 and its implementing the Biwako Millennium Framework (BMF) for Action towards an Inclusive, Barrier-free and Rights-based Society for Persons with Disabilities in the region. Governments from across the region adopted the BMF at a high-level meeting in October 2002. The BMF will guide regional and national disability policies and activities in several priority areas, including training and employment, during the new Decade of Disabled Persons.

The BMF includes the ILO's principle of decent work – defined as, “productive work in conditions of freedom, equity, security and human dignity for women and men everywhere”. Further, the BMF's employment and training targets call upon countries to mainstream (integrate) vocational training programmes, collect reliable employment and self-employment rates for people with disabilities and consider ratification of ILO Convention No.159. The Convention, among other things, requires a national policy of vocational rehabilitation and employment based on the principles of equal treatment and equal opportunity for workers with disabilities.

With regard to the BMF, *Training and Employment of People with Disabilities: India 2002* should prove useful as an evaluation tool since it provides a baseline description of the situation in India against which progress can be compared. More importantly, it is hoped that the report will provide direction as India addresses the BMF targets and its national priorities related to employment of people with disabilities. Additionally, it is hoped that people with disabilities and stakeholders from other countries can learn from the Indian situation.

*Training and Employment of People with Disabilities: India 2002* is descriptive in nature. When the ILO commissioned the researchers for the *Country Study Series*, each was asked to follow the comprehensive research protocol appended to this document. The resulting report therefore includes country background information, statistics about people with disabilities

and their organizations, a description of relevant legislation and policies and their official implementing structures, as well as the education, training and employment options available to people with disabilities. While few countries have such information readily available, researchers were asked to note the existence or lack of specific data points and to report data when it did exist. Since the lack of information about people with disabilities contributes to their invisibility and social exclusion, the information itself is important. The protocol called for limited analysis and did not specifically ask for the researchers recommendations, however, researchers were asked to report on existing plans and recommendations of significant national stakeholders.

Upon completion of the draft country studies in the series, they were shared with participants of the ILO/Japan Technical Consultation on Vocational Training and Employment of People with Disabilities, held in Bangkok in January 2003. The consultation was a regional meeting of Governments and representatives of workers', employers' and disabled persons' organizations from across the region. Each country team was asked to review the country study reports and make comments with regard to accuracy, omissions and content of the report.

As noted, the main purpose of the series is to describe the employment and training situation of the country at a particular point in time. Since the data was collected in 2002, the information contained in *Training and Employment of People with Disabilities: India 2002* must be considered within that time frame. As the world largest democracy, India is a dynamic and complex country and change could be rapid. Yet, the study provides a comprehensive overview of the situation in India against which future employment and training developments can now be better understood and assessed.

The ILO wishes to acknowledge Development Cooperation Ireland, whose resources contributed to the research project that resulted in the *AbilityAsia Country Study Series*. Debra A. Perry, the ILO's Senior Specialist in Vocational Rehabilitation for Asia and the Pacific deserves special recognition for her technical oversight and hard work in designing and coordinating the overall project. Santosh Kumar Rungta, the consultant who researched and wrote *Training and Employment of People with Disabilities: India 2002* also deserves specific recognition for his expertise and effort in preparing this document. Members of the ILO support staff also made significant contributions, in particular Sugunya Voradilokkul who supported the project for its inception and Teerasak Siriratanonthai, whose computer expertise made the Web publication a reality, and Anne Holopainen, Associate Expert, who assisted in preparing the document for publication.

To the reader, whether you are an academic, researcher, policy maker, practitioner or an individual with a disability, we hope you will find the information you are looking for in these pages.

For more information about the *AbilityAsia Country Study Series* or to learn more about the ILO Convention No. 159 or other issues related to employment and training of people with disabilities in the region, please visit the AbilityAsia Web site:

<http://www.ilo.org/abilityasia>.

For more information about the ESCAP Decade of Disabled Persons, 2003-2012, visit <http://www.unescap.org/esid/psis/disability/index.asp>.

Readers may also be interested in two recently published works by the ILO relating to employment and disability – *Moving Forward: Toward Decent Work for People with Disabilities – Examples of Good Practices in Vocational Training and Employment from Asia and the Pacific* and *Proceedings of the ILO/Japan Technical Consultation on Vocational Training and Employment of People with Disabilities in Asia and the Pacific*. Copies of these and other ILO publications on disability in Asia and the Pacific can be ordered by contacting [abilityasia@ilo.org](mailto:abilityasia@ilo.org).

A handwritten signature in black ink, appearing to read 'LLm', with a small dot above the first 'l'.

Lin Lean Lim  
Deputy Director  
Regional Office for Asia and the Pacific

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## Abbreviations

AICB	All India Confederation of the Blind
AIFD	All India Federation of the Deaf
CBR	Community-based rehabilitation
DPI	Disabled Persons International
DRDA	District Rural Development Agency
ESCAP	Economic and Social Commission for Asia and the Pacific
FSU	First stage unit
GDP	Gross Domestic Product
IEDC	Integrated Education for Disabled Children
ITI	Industrial Training Institutes
NFB	National Federation of the Blind
NPRPD	National Programme for Rehabilitation of Persons with Disabilities
NSSO	National Sample Survey Organization
SGSY	Swarnjayanti Gram Swarozgar Yojana (urban employment scheme)
SJSRY	Swarna Jayanti Shahari Rojgar Yojana (rural self-employment scheme)
UFS	Urban Frame Survey
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
VRC	Vocational Rehabilitation Centres
WBOD	Working before the onset of a disability
ZP	Zila parishad

## Part One: Country Overview

### 1.1 Introduction

This study is designed to provide an overview of the vocational training and employment scenario for people with disabilities in India. The study is aimed at providing baseline information to all concerned parties, including NGOs, branches of government and international agencies in order to facilitate the promotion of full participation of people with disabilities. This process has been strengthened by the initiatives taken during the Asian and Pacific Decade of Disabled Persons (1993-2002) proclaimed by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP).

India is one of the oldest civilizations in the world and it maintains a rich cultural heritage. India has achieved multifaceted socio-economic progress during the last 54 years of its independence, as it has become self-sufficient in agricultural production and is now the tenth industrialized country in the world. India is also the sixth nation to develop a space exploration program.

The overall development of the country is assessed periodically at both the national and international levels, which provides an opportunity for effective and meaningful future planning. The United Nations Development Programme (UNDP) has undertaken such assessments in the area of human development regularly. It contains a critical analysis of the level of development in different areas across the globe. India is rated 124 out of 173 countries in the Human Development Index 2002 on the basis of following key indicators: life expectancy, literacy levels, gross educational enrolment and Gross Domestic Product (GDP) per capita.

**Table 1.1: Human Development Index 2002<sup>1</sup>**

HDI Rank	Life expectancy at birth (Years)	Adult Literacy Rate (0% age15 and above)	Combined Primary Secondary and Tertiary gross enrolment %	GDP Per capita (PPP US\$)
	2000	2000	1999	2000
124	63.3	57.2	55	2 358

### 1.2 Geography

India covers an area of 32,87,263 square kilometers and is the seventh largest country in the world. India stands apart from the rest of Asia, as its boundaries extend from the Himalayas in the north to the Indian Ocean in the south, and from the Bay of Bengal on the east to the Arabian Sea on the west. According to the 2001 Census, 72 per cent of the population live in rural areas, and 28 per cent reside in cities.

The climate of India may be broadly described as a tropical monsoon. There are four seasons: winter (January-February); hot weather summer (March-May); rainy south-western monsoon (June-September) and post-monsoon, also known as North-East Monsoon in the

southern peninsula (October-December).<sup>2</sup>

### 1.3 Population

India has taken a National Census every ten years since 1872.<sup>3</sup> The most recent census was completed in the year 2001. It was unique in the sense that it included data on people with disabilities.

The population of India, which at the turn of the twentieth century was approximately 238.4 million, increased to reach 1,027 million (531.3 million males and 495.7 million females) at the dawn of the twenty-first century.<sup>4</sup> India accounts for a meager 2.4 per cent of the world surface area of 135.79 million square kilometers, yet it supports and sustains 16.7 per cent of the world population.

The following trends were revealed in the provisional Report of the Census, 2001:

**Table 1.2 Population Trends from the 2001 Report of the Census**

	Total	Males	Females
Population	1 027 015 247	531 277 078	495 738 169
Decadal Population Growth 1991-2001	180 627 359 (21.34%)	91 944 020 (20.93%)	88 683 339 (21.79%)
Population In The Age Group 0-6	157 863 145 (15.42%)	81 911 041 (15.47%)	75 952 104 (15.36%)
Literates <sup>5</sup>	566 714 995 (65.38%)	339 969 048 (75.85%)	226 745 947 (54.16%)
Life Expectancy At Birth <sup>8</sup> (In Years 1993-97)		60.4	61.8

**Table1.3: Other population and geographical statistics**

Density Of Population	324 per square kilometer
Sex Ratio	933 females per 1000 males
Rural And Urban Population (1991) <sup>6</sup> (In Million)	Rural 629 million (74.3%) Urban 218 million (25.7%)
Population By Religion (1991) <sup>7</sup> (Million And %)	Hindus 672.6 million (82.41%) Muslims 95.2 million (11.67 %) Christians 18.9 (2.32%) Sikhs 16.3 million (1.99%) Buddhists 6.3 million (0.77%) Jains 3.4million ( 0.41 %) Other 3.5 million (0.43 %) Total: 816.2 (100.00%)

From the findings of the Census 2001, the following features are important indicators for planning for a conducive job market:

1. A decrease in the rate of population growth
2. An increase in the share of the aged
3. An increasing participation of the younger age group in education

## 1.4 Government and general development plans

India, a union of states, is a sovereign socialist secular democratic republic with a parliamentary system of governance. The republic is governed in terms of the Constitution, which was adopted by Constituent Assembly on 26 November 1949 and came into force on 26 January 1950.

The Constitution, which envisages a parliamentary form of government, is federal in structure with unitary features. The President of India is the constitutional head of the executive branch of the Union. Article 74(1) of the Constitution<sup>9</sup> provides that there shall be a Council of Ministers, with the Prime Minister as head, to aid and advise the President who shall, in exercise of his functions, act in accordance with such advice. The Council of Ministers is collectively responsible to the House of the People (Lok Sabha). The Governor is head of the executive, but it is the Council of Ministers, with Chief Minister as head, in which real executive power vests. The Council of Ministers of a state is collectively responsible to the Legislative Assembly.

The Constitution distributes legislative power between Parliament and state legislatures, and provides for the vesting of residual powers in Parliament.<sup>10</sup> Power to amend the Constitution also vests in Parliament. The Constitution has a provision for the independence of judiciary, Comptroller and Auditor-General, as well as Public Service Commissions and Chief Election Commissioners. India is made up of 29 states and six union territories, the latter of which are centrally administered. The Constitution of India provides for a single citizenship for the whole of India.

The Constitution contains three lists that outline the division of powers between states, union territories and the central Government. List I includes areas in which only the central Government can develop policy. This includes the matter of revenue collection, national defence, foreign affairs, communications, currency and coinage and banking and customs. The central Government, as revenue collector, monitors the implementation of various programmes by the provincial Governments, particularly programmes relating to the social sector. Owing to the federal character of the Constitution, which is weighted heavily towards the central Government, provinces have functional autonomy only in the matters in the State List (List II). The Concurrent List (List III) includes areas in which both the central Government and the provincial authorities can make legislation. It is worthwhile to note here that disability has been listed against entry nine of the State List, which delayed the passage of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

Following the policy of decentralization of governance, the Constitution has been amended to provide for more powers and to entrust more responsibilities to local government structures such as village panchayats<sup>1</sup> and municipal corporations. There are three layers of

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<sup>1</sup> Panchayats are the name of the traditional institution of local self-government in India. In 1993, the 73rd amendment to the Constitution established a new structure of panchayats at the district and sub-district levels at which common people can decide their own development priorities and implement them. There are three tiers: the village panchayat, the block panchayat (the intermediate level, which is also called taluk or mandal), and the district panchayat. At each of these levels, the elected panchayats have the power to prepare plans for economic development and social welfare and to implement them.

governance: central, provincial and local.

Socio-economic objectives have also been outlined in Part-IV of the Constitution, dealing with the Directive Principles of State Policy. Though these provisions are not enforceable by a court of law, they set a national agenda for the socio-economic development of the country. These include the following:

1. The State shall strive to promote the welfare of people by securing and protecting, as effectively as it may, a social order in which justice – social, economic and political – shall form in all institutions of national life;
2. The State shall direct its policy in such a manner as to secure the rights of all men and women to an adequate means of livelihood, equal pay for equal work and within limits of its economic capacity and development, to make effective provision for securing the right to work, education and to public assistance in the event of unemployment, old age, sickness and disablement or other cases of undeserved want;
3. The State shall also endeavor to secure to workers a living wage, humane conditions of work, a decent standard of life and full involvement of workers in management of industries; and
4. In the economic sphere, the state is to direct its policy in such a manner as to secure distribution of ownership and control of material resources of the community. This will be done to serve the common good, and to ensure that the operation of the economic system does not result in a concentration of wealth and means of production to common detriment.

Some of the other important directives relate to:

1. The provision of opportunities and facilities for children to develop in a healthy manner;
2. Free and compulsory education for all children up to the age of 14;
3. Promotion of education and economic interests of scheduled castes, scheduled tribes and other weaker sections;
4. The organization of village *Panchayats*;
5. Separation of judiciary from executive;
6. Promulgation of a uniform civil code for whole country;
7. Protection of national monuments; promotion of justice on a basis of equal opportunity;
8. Provision of free legal aid;
9. Protection and improvement of environment and safeguarding of forests and wildlife of the country; and
10. The promotion of international peace and security, just and honorable relations between nations, respect for international law, treaty obligations and settlement of international disputes by arbitration.<sup>77</sup>

In order to achieve the overall development of the country, India chose five-year plans dealing with strategies for the development of each sector. The National Development Council, chaired by the Prime Minister of the Country, has been established for the formulation and implementation of the plans, the first of which was formulated in 1951. Currently, the tenth of these Five-Year Plans is in the process of finalization and implementation for the period 2002-07.

The central Government currently has 49 ministries and departments with specific allocation of business in a particular area. Some of the important departments include:

- Home Department, which oversees internal security;
- Defence;
- Finance;
- Labour, which deals with vocational training and employment;
- Human Resource Development, including Education, Health and Family Welfare; and
- Social Justice and Empowerment, which coordinates disadvantaged groups, including people with disabilities.

## 1.5 Economy

The Indian economy is passing through a difficult phase caused by several unfavorable domestic and external developments. Domestic output and demand conditions were adversely affected by poor performance in agriculture in the previous two years. The global economy experienced an overall deceleration, and is estimated to record an output growth of just 2.4 per cent during the past years. These tendencies were exacerbated in the aftermath of the terrorist attacks in the United States in September, 2001. Consequently, export growth has suffered, and industrial profitability has also been affected by the prevailing low commodity and product prices globally. Despite these constraints, growth in real GDP in 2001-02 is expected to be 5.4 per cent, as estimated by the Central Statistical Organization. This growth rate marks some recovery over the low growth of 4 per cent in 2000-01. It will also be one of the highest growth rates in the world in the current year.

The average annual growth rate during the ninth Five-Year Plan (1997-2002) is also estimated at 5.4 per cent, which is lower than the target included in the plan of 6.5 per cent. Although this raises new challenges for reinvigorating growth in the tenth Five-Year Plan, the Indian growth record is one of the highest among the major economies in the world in recent years. The Indian economy has been resilient in the face of several external shocks during this period, such as the East Asian crisis of 1997-98, the oil price increase of 2000-01, and the most recent world economic slowdown. Domestic shocks in the shape of an adverse security environment, natural disasters such as the Orissa Cyclone and Gujarat earthquake, and two consecutive years of poor agricultural performance, have also been faced successfully by the economy.

The overall growth of 5.4 per cent in 2001-02 is supported by a growth rate of 5.7 per cent in agriculture and allied sectors, 3.3 per cent in industry and 6.5 per cent in services. The acceleration of the overall GDP growth rate is basically due to a significant improvement in value added in the agriculture and allied sectors from a negative growth rate of (-) 0.2 per cent in 2000-01 to 5.7 per cent in 2001-2002. There has been significant deceleration in the growth rate of industry. However, the performance of the services sector has improved moderately (see Table 1.3).

The agricultural sector provides livelihood to about 64 per cent of the labour force. It also contributes nearly 26 per cent of the GDP and accounts for about 18 per cent of the share of the total value of the country's exports.<sup>13</sup>

After agriculture, the service sector is the major contributor to the Indian economy, followed by the manufacturing sector.

**Table 1.4: Sectoral real growth rates in GDP (at factor cost)<sup>12</sup>  
Percentage change over the previous year**

	1999-2000	2000-2001	Economic Projections For 2001-02
<b>Agriculture and allied</b>	<b>1.3</b>	<b>-0.2</b>	<b>5.7</b>
<b>Industry</b>	<b>4.9</b>	<b>6.3</b>	<b>3.3</b>
Mining and Quarrying	2.0	3.3	1.4
Manufacturing	4.2	6.7	3.3
Electricity, gas and water supply	6.1	6.2	5.2
Construction	8.1	6.8	2.9
<b>Services</b>	<b>9.5</b>	<b>4.8</b>	<b>6.5</b>
Trade, hotels, transport and communications	7.7	5.3	6.3
Financial real estate and business services	10.6	2.9	7.5
Community, Social and personal services	11.6	6.0	6.0
<b>Total GDP</b>	<b>6.1</b>	<b>4.0</b>	<b>5.4</b>

India is faced with the challenge of eliminating poverty. According to National Sample Survey Organization (NSSO) the poverty ratio (July 1999 – June 2000) is estimated at 27.09 per cent in rural areas, 23.62 per cent in urban areas and 26.10 per cent for the country as a whole.<sup>14</sup> Though the poverty ratio declined, the number of poor remained stable, at approximately 320 million, for a fairly long period of two decades (1973–1993). This was due to a countervailing growth in population. The latest estimates for 1999-2000 suggests a significantly reduced number of poor: about 260 million out of a total population of 997 million<sup>15</sup>

This estimate has been made on the basis of methodology used by the Planning Commission of India and incorporating the following key indicators: poor quality of life, deprivation, malnutrition, illiteracy and low human resource developments.

## 1.6 Labour markets

Economic policies in India have undergone tremendous change during last decade. Initially, the path of mixed economy with a greater role for the government-owned public sector was chosen. Following the emerging trend of globalization, however, the shift is now towards a market economy, which has tremendously affected the job market quantitatively, and has also changed the demand pattern in the job market.

The increasing diversification of the economy, together with acceleration in economic growth, has resulted in structural changes in the nature of the job market. The various rounds of surveys conducted by the (NSSO) reveal that the average annual growth rate of overall employment, in both the organized and unorganized sectors, was 2.73 per cent per annum in the period 1972/73 to 1977/78. It then declined to 1.54 per cent per annum from 1983 to 1987/88. The growth rate of employment, however, increased to 2.43 per cent per annum from 1987/88 to 1993/94. As per the 55<sup>th</sup> Round (July 1999–June 2000) of the Survey on Employment conducted by the NSSO, overall employment grew by about 1 per cent per annum from 1993/94 to 1999/2000. Employment in absolute numbers has risen from 303 million in 1983 to 374 million in 1994 (2.04 per cent) and to 397 million in 2000 (0.98 per cent). The labour force participation rate declined in 1999/2000 as compared with 1993/94.

There was also sharp deceleration in the growth of the labour force from 2.29 per cent per annum in the period between 1987/88 and 1993/94, to 1.03 per cent per annum from 1993/94 to 1999/2000. The deceleration in employment is associated with the sharp decline in the growth of the labour force.

Organized sector employment in 1999/2000 was 28.11 million, or about 7 per cent of the total employment of about 397 million. Over two-thirds of the total organized sector employment, i.e. 19.41 million, is in the public sector. Trends reveal that employment in this sector has been declining, due to the decrease in employment in the public sector from 1.52 per cent per annum between 1983 to 1994 to a negative growth of (-) 0.03 per cent per annum during the period of 1994 to 2000. This decline could be attributed to restructuring programmes and the ban on recruitment in many state departments and other institutions as part of the “economy drive” to reduce government expenditure.

Some growth of employment was made in the private sector after 1995. This growth, however, did not offset the effect of the slowdown in public sector employment, since the private sector share of employment in the organized sector was only one third. Future growth in organized sector employment is now likely to come from employment growth in the private sector.

The sector-wise growth of overall employment indicates that the growth rate decelerated from 1983 to 1994 to the period 1994 to 2000, primarily due to slower growth in agricultural employment. The absolute number of people employed in agriculture showed a decline for the first time. Employment in sectors such as trade, construction, financial services, transport, storage and communication has grown faster than the average, and the share of these sectors in total employment has increased. This reflects the structural changes in product markets in the post-reforms period.

The level, quality and growth of wages, incomes and employment are all affected by the overall growth in the economy as measured by GDP, as are growth in population and the consequent additions to the labour force.<sup>16</sup>

In 1995, the majority of the labour force was employed in agriculture (67 per cent) while the service sector accounted for 18 per cent, and industry involved 15 per cent.<sup>17</sup>

In brief, there has been a negative growth in employment both in organized and unorganized sectors. Agriculture, which remains the major employing sector, has also seen declining trends in the year 2001.<sup>18</sup> Table 1.5 shows the distribution of workforce both in terms of urban rural divide and by sector.

The distribution of workforce by gender and by age has also been reflected in various surveys conducted by the NSSO. Women constitute a significant part of the workforce. Amongst rural women workers, the majority is employed in agriculture as labourers and cultivators. In the urban areas, women workers are primarily employed in the unorganized sectors such as household industries, petty trades and services, building and construction. As of March 1999, women constituted about 17.2 per cent of the organized sector (both public and private) employment. The overall proportion of women’s employment within total employment increased by 0.8 per cent over the corresponding proportion of women employed in 1998. Despite the increase, it still constitutes a far from satisfactory achievement in the desired employment levels.

The distribution of women employees across industries reveals that the community, social and personnel service sector employed 55.6 per cent of women workers followed by manufacturing (21.4 per cent) agriculture and allied occupations (9.8 per cent) and finance, insurance, real estate and business (4.9 per cent). In 1997, the total workforce of women were employed in factories, mines and plantations at the rates of 14 per cent, 6 per cent and 51 per cent, respectively.

**Table 1.5: Distribution of workforce in rural and urban areas and by sector from the 1991 Census (in millions) <sup>19</sup>**

	Rural	Urban	Total
Marginal Workers	26.7	1.5	28.2
Main Workers	222.3	63.6	285.9
(i) Cultivators	10.6	3.1	110.7
(ii) Agricultural Labourers	70.3	4.3	74.6
(iii) Livestock, forestry, etc.	4.9	1.1	6.0
(iv) Mining and quarrying	1.0	.7	1.8
(v) Manufacturing, processing, servicing and repairs:			
In household industry	4.8	2.0	6.8
Other than household industry	7.9	14.0	21.9
(vi) Constructions	2.3	3.2	5.5
(vii) Trade and Commerce	7.3	14.0	21.3
(viii) Transport, storage and communications	2.7	5.3	8.0
(ix) Other services	13.3	16.0	29.3
Total Population	622.8	215.8	838.6
Total Workers	249.0	65.1	314.1

Trends in the work participation rate as per NSSO estimates indicate that participation across gender in rural and urban areas registered a sharp decline between 1983 and 1999. The sectoral profile of the female workforce indicates that more than 80 per cent of female workers are engaged in the agriculture sector in rural India. There is a diversion of female workers from the primary to the tertiary sector in the urban areas, which may indicate that these women have been able to take advantage of the increased employment opportunities. In urban areas, female work participation in the tertiary sector has increased from 37.6 per cent in 1983 to 52.9 per cent in 1999.

The distribution of female work participation by status of employment indicates that there is a declining trend in the importance of the self-employed category. This is demonstrated in both rural and urban areas. There is also an overall increase in casualization of women in the workforce. The number grew from 31.4 per cent in 1972-73 to 40.9 per cent in 1997 in rural India, and declined to 39.6 per cent in 1999-2000. There is a reversal of this trend in the urban areas, where there is an increase in work participation rates of females under the regular employment category and a decline in the casualization. Further, as per the NSSO 55<sup>th</sup> round on employment and unemployment in 1999-2000, women tend to enter the labour market later than men. Work participation of males, therefore, is considerably higher in the age group of 15-29. In rural areas, the female work participation rate has been the highest in the age group of 40-44, where it is at 58.6 per cent. The rate is above 50 per cent for women who are between the ages of 30 and 54. Female work participation rate is the highest in the urban areas, where 28.5 per cent of the women in the age group 35-39 are employed, as are 28.3 per cent in the age group 40-44. Early marriage and multiple child bearing depress the workforce participation rates in the 15-29 age group.<sup>20</sup>

There is no figure available with regard to the number of unemployed. However, in the year

1999-2000 there was a total of 41,343 people on the live register of 958 employment exchanges. This gives a tentative idea of the trend of unemployment, subject to certain limitations. Employment exchanges cover mainly urban areas, and not all the unemployed register their names in these exchanges. Further, some people who are already employed become registered in these exchanges when they are searching for better employment.<sup>21</sup>

It is difficult to give any uniform wage pattern, especially in the unorganized and informal sectors. However, under the central legislation titled as Minimum Wages Act, 1948, legislative control is being attempted to ensure minimum wage for workers in unorganized and informal sectors including agriculture and allied activities. Both central and state governments have been empowered to fix, review and revise minimum wages in respect to scheduled employment within their respective competence. Proposals to make amendments to the Minimum Wages Act are under consideration of the Government. In the formal sector, wages are determined by a contract between the employer and employee, and there is no state control. The level of wages in the formal sector is mainly linked with the living cost.<sup>22</sup>

No statistical data is available on the status of underemployment rates, as well as relative levels of open employment, multiple employment and self-employment.

## Part Two: People with Disabilities—Definitions, Data and Situation

### 2.1 Definitions of disability

The most common definition and classification of disability for use by the Government for all purposes was determined with the enactment of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.<sup>2</sup>

Disability has been classified into seven classes on the basis of a medical definition. These classes include people with:

1. Blindness
2. Low-vision
3. Leprosy (cured)
4. Hearing impairment
5. Locomotor disability
6. Mental retardation
7. Mental illness

Further, in order to have the coverage under the term “persons with disabilities,” the extent of disability should not be less than 40 per cent as certified by medical authority.<sup>23</sup>

The legislation came into effect 7 February 1996. There is no other definition of disability or classification of disability accepted for any purpose by the government for the entitlements of people with disabilities.

However, in the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act 1999, another two classes have been included for the benefit under the said Act. These include people with autism and those with multiple disabilities. These groups have been defined in The National Trust For Welfare of Persons With Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act, 1999 as follows:

- a) Autism means a condition of uneven skill development primarily affecting the communication and social abilities of a person, marked by repetitive and ritualistic behaviour<sup>24</sup>
- b) Multiple disability means a combination of two or more disabilities as defined in clause (2) of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation)) Act, 1995.<sup>25</sup>

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<sup>2</sup> Prior to enactment of this legislation only physical disability and classes thereunder were considered eligible to avail of the benefits and services meant for people with disabilities. The following three classes of disabilities were included: visual disability, speech and/or hearing disability and locomotor disability. This classification and definition of disability was valid for the implementation of three percent reservation in government and public sector employment, benefits under the assistance device scheme and travel concessions. The National Sample Survey Organization also adopted this classification of disability, but with a different functional definition of each of the respective disabilities instead of the medical definition in respect of the visual, speech and/or hearing and locomotor disability adopted by the Government for all other purposes.

The government, both administratively and legally, accepts the respective disability definitions in the aforesaid legislation for all purposes. In order to have proper appreciation of the coverage of each of the aforesaid seven groups, the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 has given the following respective definitions to each of them.

- a) Blindness refers to a condition where a person suffers from any of the following conditions namely:
  - i. total absence of sight; or
  - ii. visual acuity not exceeding 6/60 or 20/200 (Snellen test) in the better eye with correcting lenses; or
  - iii. limitation of the field of vision subtending an angle of 20° or worse.<sup>26</sup>
- b) Cerebral palsy means a group of non-progressive conditions characterized by abnormal motor controlled posture resulting from brain insult or injuries occurring in the pre-natal or infant period of development.<sup>27</sup> This group has been put under the category of locomotor disability for all benefits under the Act.
- c) Hearing impairment means of loss of 60 decibels or more in the better ear in the conversational range of frequencies.<sup>28</sup>
- d) Leprosy-cured means any person who has been cured of leprosy but is suffering from:
  - i. loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye lid but with no manifest deformity;
  - ii. manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage a normal economic activity;
  - iii. extreme physical deformity as well as advanced age which prevents him from undertaking any gainful occupation.<sup>29</sup>
- e) Locomotor disability means disability of the bones, joints or muscles leading to substantial restriction of the movement of the limbs, or any form of cerebral palsy.<sup>30</sup>
- f) Mental illness means any mental disorder other than mental retardation.<sup>31</sup>
- g) Mental retardation means a condition of arrested or incomplete development of the mind of a person who is specially characterized by sub-normality of intelligence.<sup>32</sup>
- h) Person with low-vision means a person with impairment of visual functioning, even after treatment or standard refractive correction but who uses, or is potentially capable of using, vision for the planning or execution of a task with appropriate assistance device.<sup>33</sup>

## **2.2 Disability classification systems**

There exists no other system for classification for disability except the one stated in Section 2.1. Respective class of disability is entitled to the benefits, rights and entitlements granted by the respective enactment to that particular class or disability as a whole. The NSSO used only physical disabilities in its surveys in 1981 and 1991.

## **2.3 Sources of disability information and statistics**

India has adopted a two-pronged strategy for collecting statistical data with regard to the population and related matters. These include the socio-economic development in different fields and the impact of programmes and services on the targeted group. The Registrar

General National Census manages a detailed National Census of the country's population with a broad objective of counting the number of people, and also ascertaining their socio-economic status. Under the Ministry of Statistics and Programme Implementation, the NSSO frequently collects data on particular subjects on a short-term basis.

People with disabilities were not included in the National Census until 2001. However, the NSSO, which collects statistical data on different aspects of national importance, made its first attempt to collect information on the number of physically disabled people in the 15<sup>th</sup> round during July 1959-June 1960. The initial collection was exploratory in nature and was confined to rural areas only. In the 16<sup>th</sup> round (July 1960-June 1961), however, the geographical coverage was extended to urban areas. The subject was again taken up in the 24<sup>th</sup> (July 1969-June 1970) and in the 28<sup>th</sup> (October 1973-June 1974) rounds of the NSSO. The objective of these early inquiries was only to provide estimates of the number of people in the country who suffered from specified physical disabilities. However, the type of physical disabilities covered in all those rounds were not always the same.

For reasons of economy, information on physically disabled persons was collected in the early rounds in the survey schedules meant for other subjects. There was, therefore, very little scope for collecting information on cause, specific nature and other details of physical disabilities. The inquiries were also not comprehensive, due to obvious limitations of the survey methodology. Limitations were caused, for example, by the fact that the survey under reference was conducted for other purposes and therefore specific details on disability matters could not be gathered.

The NSSO undertook a comprehensive survey of people with disabilities in its 36<sup>th</sup> round during the second half of 1981, the International Year of Disabled Persons. The objective was to provide the database with information regarding the prevalence of disabilities. While the early surveys were restricted to people with physical disabilities, in the 36<sup>th</sup> round an extended definition was used to cover people with other disabilities. Information was collected from all people with one or more of three physical disabilities: visual, communication (i.e. hearing and/or speech) and locomotor. The particulars of a disability, such as the type or degree of disability, the cause, age at onset of disability and the type of aid or appliance used were collected along with some socio-economic characteristics.

After a gap of 10 years, a second survey on people with disabilities was carried out in the 47<sup>th</sup> round, which took place from July to December 1991. The basic framework of the survey, including the concepts, definitions and operational procedures of the 47<sup>th</sup> round, was kept the same as in the 36<sup>th</sup> round. Some modifications were made, however, in the content of the schedule of inquiry on the basis of the experience gained in the 36<sup>th</sup> round survey.

Since the survey was to be conducted by non-medical personnel, disability was defined as "any restriction or lack of abilities to perform an activity in the manner or within the range considered normal for human beings." For the purposes of the survey, a person was visually disabled if he or she had no light perception, or could not count the fingers of one hand, using glasses if ordinarily used, from a distance of three meters in daylight with both eyes open.

A person was classified as having hearing disabilities if she or he could not hear at all, or could hear only loud sounds, or could hear only when the speaker was sitting in front of them. The speech of a person was judged to be not proper or disordered if the person's speech was not understood by the listener, drew attention to the manner in which she/he

spoke rather than to the meaning, and was aesthetically unpleasant.

Locomotor disability was defined as a loss or lack of normal ability of an individual to move both herself or himself and/or objects from one place to another. It may occur due to (i) paralysis of limb or body, (ii) deformity in the limb(s), (iii) loss of limb(s), (iv) dysfunction of joints of the limb(s), and (v) deformity in the body other than limb (example: deformity in the spine or in the neck or dwarfing or stunting).<sup>34</sup> Thus, this first sample survey for collecting data in respect to people with disabilities was restricted to people suffering from physical and/or communication disability on the basis of functional definitions for each, established by the organization. These definitions were limited in their use to the survey only and were not used for any purpose for delivery of services, granting benefits or recognition of rights under respective executive orders or legislation.

This survey covered the following aspects:

1. The incidence and prevalence of different forms of disability,
2. The distribution of the disabled persons by cause of disability (as reported by the informant),
3. Marital status,
4. Educational level,
5. Living arrangements, and
6. Activity status.<sup>35</sup>

The following difficulties are associated with such sample surveys:

1. The determination of disabilities is associated with medical expertise, but people involved in such surveys as investigators are non-medical personnel.
2. There is no uniform pattern of distribution of the disabled population in urban and rural areas, which makes it difficult to select the size of the sample, the area to be covered for investigation and methodology to be used for soliciting information from the respondents.
3. The existence of cultural bias, especially in rural areas, makes it difficult for the investigator to ascertain the presence of a disabled member in the family.

The following procedure was adopted for gathering data.

A two-stage stratified design was adopted for the survey. The first stage units (FSUs) were villages in the rural sector and urban blocks in the urban sector. The second stage units were households in both the sectors.

- a) Sampling Frame: The list of 1981 census villages constitutes the sampling frame for rural sectors in most of the districts. However, in some areas where either 1981 census was not undertaken or the available list was incomplete, the list of 1971 census villages were used. For the urban sector, the list of NSSO Urban Frame Survey (UFS) blocks served as the sampling frame.
- b) Stratification: States were first divided into agro-economic regions by grouping contiguous districts that are similar in respect to population density and crop pattern. In Gujarat, however, some disputes were split for the purpose of region formation in consideration of the allocation of dry areas and the distribution of tribal population in the state.
- c) In the rural sector, within each region, each district with a 1981 census rural

population less than 1.8 million formed separate stratum. Districts with larger populations were divided into two or more strata, depending on the population, by grouping contiguous tehsils that were similar, in respect to rural population density and crop pattern. In Gujarat, however, in the case of districts extending over more than one region, even if the rural population was less than 1.8 million, the portion of a district falling in each region constituted a separate strata.

- d) In the urban sector, strata were formed again within the NSSO region on the basis of the population size classes of town. Each city with population 10 lakhs or more formed separate strata. Within each region, the different towns were grouped to form three different strata on the basis of the population according to the 1981 census (less than 50,000; 50,000 to 199,999 and 200,000 to 999,999).
- e) The total all-India sample of FSU was determined on the basis of the investigator strength in different states/union territories and the approximate workload within each village/block that was allocated to different territories in proportion to the strength of the central field staff. The state/union territories sample size thus obtained was allocated again to the rural and urban sectors considering the relative sizes of the rural and urban populations, with almost double weight age for the urban sector. Within each sector of a state/union territory, the respective sample size was reallocated to the different strata in proportion to the stratum population. Allocation had been adjusted such that the sample size for a stratum is at least a multiple of four for the rural and urban sectors separately.
- f) Selection of FSUs: The sample villages were selected systematically with probability proportional to population in the form of two independent sub-samples. The sample blocks were selected with equal probability also in the form of two independent sub-samples.
- g) Selection of hamlet-groups/sub-block: Large villages and blocks were divided into a suitable number of hamlet groups and sub-blocks respectively, having equal population content. Two hamlet groups were selected from large villages, whereas only one sub-block is selected from large blocks.
- h) Selection of households: From each FSU, a total of 18 households, in general, were surveyed for disability, literacy and culture after arranging the households of a FSU in a specified manner. In a FSU, all the households with at least one physically disabled person were identified. If the number of such households is ten or less, all those households were selected for the disability survey. If the number of such households is more than ten, then a maximum of 14 households were selected for survey. After deciding the number of households to be selected, the balance over 18 was selected circularly systematically with equal probability for the survey of literacy and culture, after arranging all the households according to the highest educational level among earners of the households. The number of households was so adjusted as to make it always a multiple of two.
- i) The survey on developmental milestones of children includes all the households selected for the survey on disability and one-half of the households selected for the survey on literacy and culture. The test for literacy was conducted on the other half of the households selected for the survey on literacy and culture.
- j) Survey period and sub-round: The fieldwork of the survey was started in July 1991, and completed in December 1991. The survey period of six months was divided into two sub-rounds of three month's duration each. While the period of the survey for sub-round-1 was scheduled from July to September 1991, sub-round-2 took place from October to December 1991. Equal number of sample villages and blocks were allotted for the survey in each of these two sub-rounds.<sup>36</sup>

- k) The Survey of 1991 does not present accurate statistical data because of the lack of proper training of investigators. Moreover, it does not cover all groups of disability.
- l) National Census 2001 has, for the first time, included people with disabilities in its enumeration work. However, the definition of the respective category of disability adopted in this Census is also the same as the one that was adopted by the survey conducted by NSSO. This census has included one more category of disability, i.e. mental retardation. The result of this census with regard to disability is yet to be published.

Some of the important highlights of the findings of this Sample Survey of 1991 are shown from the following table:

**Table 2.1: Estimated national number (in thousands) of disabled people by type of disability and sex<sup>37</sup>**

Type of disability	Rural			Urban		
	Male	Female	Total	Male	Female	Total
Physical	7 442	5 210	12 652	2 078	1 424	3 502
Visual	1 539	1 796	3 335	308	362	670
Hearing (5 years-old and above)	1 409	1 164	2 573	339	330	669
Speech (5 years-old and above)	942	557	1 499	298	169	467
Hearing and/or speech	2 009	1 490	3 499	557	426	983
Locomotor	4 396	2 411	6 807	1 370	762	2 132
Estimated total (based on 1991 Census population)	326 820	307 537	634 357	117 121	104 640	221 761

There is no other source with regard to national statistics pertaining to people with disabilities. The central and provincial Governments decided to issue identity cards to people with disabilities very recently. This may also facilitate the maintenance of a national database on disability-related statistics on the basis of the records pertaining to the issuance of identity cards.

## 2.4 On-the-job injuries

The survey conducted by NSSO in the year 1991 obtained information on the impact of disabilities on the continuance of work after the onset of a disability. As per the finding of this survey, 47 per cent of those in the rural area who were working before the onset of a disability (WBOD) had lost or had to discontinue their work. The figure was 42 per cent in urban areas. About 13 to 15 per cent had to change their work (see Table 2.2).<sup>38</sup>

**Table 2.2: Impact of disability on work status of people age 5 years and above (in thousands)<sup>78</sup>**

	Rural					Urban				
	WBOD Rate	Loss of work	Change of work	No loss or change of work	Total	WBOD Rate	Loss of work	Change of work	No loss or change of work	Total
All India	397	465	145	390	1000	287	418	134	446	1 000

Note: According to NSSO practices data is reported according to the following age categories: 0-4, 5-59 and 60 -.

## **2.5 Environmental factors affecting full participation**

The physical environment and public facilities and utilities have not been developed or designed with the requirements of each category of disability in mind. As such, environmental and communication barriers impede full participation of people with disabilities in all spheres of life. These barriers also affect the participation of different disability groups in mainstream training and employment activities.

People suffering from locomotor disabilities encounter the following barriers:

1. Inaccessible entry and exit of buildings in which either training programmes are run or work is to be performed by the prospective employee, as well as a lack of ramps or lift to access the floors of a building;
2. Lack of accessible toilets inside these buildings;
3. Lack of necessary medical facilities at training and work sites;
4. Inaccessible roads and transport systems, especially for wheel chair users;
5. Lack of necessary modifications in the regulations and practices with regard to working hours;
6. Lack of necessary modifications in equipment and machinery to enable a particular category of disabled person to perform a particular job operation; and
7. Lack of necessary relaxation in medical standards for selection in training and employment.

In addition to this, people with visual, speech, hearing and intellectual disabilities face barriers in accessing mainstream training programmes and job opportunities due to the following factors listed below:

1. The lack of sound signals and Braille guiding blocks to facilitate the mobility of visually disabled persons;
2. The absence of sign-language interpretation at public places to facilitate communication of people with speech/hearing impairment; and
3. The necessary support system for people with intellectual disabilities at public places, including work sites.

All mainstream training programmes and work sites exclude disability groups due to these barriers. Although over 100 regional sign languages exist, there is no acceptable national sign language for use by all people with a speech/hearing impairment.

## **2.6 Social factors affecting full participation**

Attitudinal barrier is the biggest impediment in the process of full participation of people with disabilities. Broadly, the following social factors affect the participation of people with disability:

1. Treating disabled people as objects of charity and not as contributors;
2. Treating disabled people as individuals for passive community care;
3. Prevalent religious belief that disability is the result of the sin committed in previous life;
4. Unequal treatment of disabled family members who are often seen as a burden; and
5. Treating women with disabilities as a double burden for being both female and disabled.

## **2.7 Disabled Persons' Organizations**

Broadly, organizations working in the field of disability can be classified into service organizations and advocacy organizations. There is no national-level, cross-disability umbrella organization. Disabled Persons International (DPI) has an Indian chapter, but it is not a representative disability organization. It also does not have any individual members. Organizations related to visual disabilities have a national character. The following two national organizations in the field of visual disabilities have contributed substantially in the policies and programmes for people with visual impairments:

1. All India Confederation of the Blind (AICB): Established in the 1980s, it operates through affiliate organizations throughout the country. It does not have individual membership. It runs courses for training blind people in stenography and office management. It also runs a placement service for promoting the employment of blind people, mainly in the organized sector. It also operates a community-based rehabilitation (CBR) programme for the socio-economic rehabilitation of blind people, particularly in rural areas.
2. National Federation of the Blind (NFB): This is one of the largest mass advocacy organizations for blind people, with a strong membership of more than 30,000. The NFB operates through its 40 state branches, affiliates and units, and has successfully taken up very important policy matters with regard to training and employment opportunities for people with disabilities in general and blind people in particular. In fact, implementation of the quota for disabled people in government jobs in lower levels, and opening up of highest administrative posts for the blind have been some of the important outcomes of advocacy by this organization. It also has a placement service plan in which it matches the job seekers and job opportunities with a purpose to promote employment of blind people.

All India Federation of the Deaf (AIFD) is a single-disability, national-level organization working in the area of speech or hearing disabilities. It has branches throughout the country and runs vocational training programmes for speech/or hearing disabled persons. It has also been actively involved in the advocacy for better policies for people with disabilities in general and speech/or hearing impaired persons in particular. The Handicapped Welfare Federation is also a national-level, single-disability organization working in the area of locomotor disability and its activities include advocacy.

## **Part Three: Legislation, Policies and Institutional Structures**

### **3.1 International policies adopted**

India is a signatory to the Proclamation of the Asian and Pacific Decade of Disabled Persons, 1993–2002. It has taken various steps towards fulfilling the targets for action in the 12 areas of concern contained in the Agenda for Action. With regard to vocational training and employment, various initiatives have already been taken to integrate people with disabilities in all mainstream programmes in order to enlarge the coverage of the disabled population. India has not yet ratified the International Labour Organization Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No.159).

### **3.2 National legislation**

The Constitution of India refers to disabled people in two places. Article 41 of the Constitution of India calls upon the governments at all levels to “make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.”<sup>40</sup> Another relevant provision of the Constitution is entry nine of the state list<sup>3</sup> relating to the “relief of the disabled and unemployable.”<sup>41</sup>

There has been a sustained campaign for the enactment of comprehensive legislation for people with disabilities since 1980. Though the central Government agreed to enact such a national legislation in principle in the year 1980, no breakthrough could be achieved until 1995 because of the above-stated entry nine of the Constitution that empowered the state legislatures to make laws on disability matters. However, signing of the Proclamation of Asian and Pacific Decade of Disabled Persons 1993-2002 allowed the Parliament to enact a national law on disability matters under Article 249 of the Indian Constitution.<sup>42</sup>

This finally resulted in the enactment of The Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995. This Act was brought into force with effect from 7 February 1996. It is a combination of service-oriented and rights-based legislation, based on the following:

1. The prohibition of discrimination on the ground of disability in different spheres of life,
2. A positive discrimination in favour of people with disabilities,
3. A grant of relaxation in their favour to overcome respective disabilities, and
4. The inclusion of people with disabilities in main stream programmes.

Some important and relevant provisions of this disability legislation in the area of vocational training and employment, education and non-discrimination are given below under respective headings.

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<sup>3</sup> The State List reserves the right to provide laws pertaining to a particular area to the state authorities. (See Section 1.4)

### *A) Organized Public Sector*

The following stipulations apply to the public sector:

1. A reservation of not less than 3 per cent of posts in every establishment belonging to central, state and local Governments to be shared equally. The reservations will be held for 1 per cent of each of the following disabilities: i) blindness or low vision, ii) hearing impairment, iii) motor disability or cerebral palsy.<sup>43</sup>
2. In order to implement the reservation policy in the government and public sector, the respective governments are required to: i) identify posts in the establishments that can be reserved for people with disabilities, and ii) at periodical intervals not exceeding three years, review the lists of posts identified and update the list taking into consideration new developments in technology.<sup>44</sup>
3. No employee who acquires a disability during his service shall be removed from service or reduced in rank, and he shall continue in the service in the same pay scale and service benefit.<sup>45</sup>
4. No promotion shall be denied to a person merely on the ground of disability.<sup>46</sup>
5. Special employment exchanges will act as monitoring mechanisms for ensuring a 3 per cent reservation in the government and public sector by requiring every establishment to furnish prescribed information or return with regard to vacancies earmarked for people with disabilities,<sup>47</sup> or by inspection of the records of the establishment.<sup>48</sup>

### *B) Organized private sector*

The government shall provide incentives to employers both in public and private sectors to ensure that at least 5 per cent of their workforce is composed of persons with disabilities. This will be done within the limits of their economic capacity and development.<sup>49</sup>

### *C) Unorganized sector*

Since poverty is the greatest challenge before planners in India, and since the incidence of disabilities is very high in rural and poor families, the Act has mandated the government to include people with disabilities in all its mainstream poverty alleviation programmes. It provides that, at all levels, the government shall reserve not less than 3 per cent in poverty alleviation programmes for the benefit of people with disabilities.<sup>50</sup> The Persons with Disabilities Act, 1995 does not have any provision, however, empowering any authority or court to impose fines or levies in the case of breach of the provisions relating to training and employment.

### *D) Self-Employment Ventures*

With the emerging trend of declining job opportunities in both organized and unorganized sectors, self-employment is a potential alternative for the economic rehabilitation of people with disabilities. However, keeping in view the competitive market, people with disabilities require adequate support from the government. The Act, therefore, provides for the preferential allotment of land at preferential rates for setting up business and factories by entrepreneurs with disabilities.<sup>51</sup>

### *E) Enabling Provisions*

The Act also contains various provisions for skill development, barrier-free environments and the availability of assistance devices, aids and appliances that promote both vocational training and employment for people with disabilities. Some of these provisions include the items in the following list.

- a) The provision of free education in an appropriate environment to all children with disabilities until the age of 18, and for the government to equip special schools with vocational-training facilities.<sup>52</sup>
- b) The removal of barriers in buildings in order to enhance the mobility of people with disabilities and make roads, transportation and public facilities accessible.<sup>53</sup>
- c) The requirement for governments at all levels are required to formulate programs for the promotion of employing people with disabilities. They must provide the training and welfare for people with disabilities and health and safety measures and the creation of a non-handicapping environment in places where people with disabilities are employed.<sup>54</sup>
- d) The requirement that governments at all levels provide an insurance plan or any alternative programme for the benefit of their employees with disabilities.<sup>55</sup>
- e) The formulation of plans by governments at all levels for payment measure of an unemployment allowance to people with disabilities registered with Special Employment Exchanges for more than two years, and who could not be placed in any gainful occupation. (This is an interim rehabilitation measure that governments must institute within the limits of their economic and development capacities.)<sup>56</sup>

### *Rehabilitation Council of India Act 1992*

Another important piece of legislation relating to the rehabilitation of people with disabilities is The Rehabilitation Council of India Act, 1992. The objective of this Act is to establish a Rehabilitation Council of India for regulating the training of rehabilitation professionals.<sup>57</sup> This Act was effective as of 31 July 1993, and is intended to have control of the institutions imparting training to professionals working in the fields of disability. The Act has defined the rehabilitation professionals to include the following:

- a) Audiologists and speech therapists
- b) Clinical psychologists
- c) Hearing aid and ear mould technicians
- d) Rehabilitation engineers and technicians
- e) Special teachers for educating and training persons with disabilities
- f) Vocational counselors, employment officers and placement officers dealing with persons with disabilities
- g) Multi-purpose rehabilitation therapists, technicians
- h) Such other category of professionals as the central Government identifies<sup>58</sup>

Only visual, hearing and locomotor disabilities, as well as mental retardation, were covered in the parent Act of 1992.<sup>59</sup> However, after the amendment of the Rehabilitation Council Act, 1992 by Amending Act No. 38 of 2000 and renaming the said Act, The Rehabilitation Council Act of India (Amendment) Act, 2000, all seven disabilities covered by the Persons

with Disabilities Act, 1995 similarly are covered. Section 3 (1)(I) is as follows: “Handicapped means a person suffering from any disability referred to in clause I of Section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.”

The Amended Act, 2000 has adopted the definition of the term “rehabilitation” given to it by the Section 2(w) of the Persons With Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995 to mean “a process aimed at enabling persons with disabilities to reach and maintain their optimal physical, sensory, intellectual, psychiatric or social functional levels” as per Section 3 (1)(iii) of Rehabilitation Council of India (Amendment) Act, 2000. Thus, the Act covers the rehabilitation of physical, sensory, intellectual, and psychiatric disabilities.

The Act prohibits the working of any professionals who do not possess the qualifications recognized by the Rehabilitation Council of India in the area of aforesaid disabilities as such rehabilitation professionals.<sup>60</sup> The Act also provides for punishment of imprisonment of one year, or with a fine up to one thousand rupees, or with both, in the event of breach of the aforesaid provision.<sup>61</sup> Thus, this Act empowers the Council to have a control over the quality of courses meant for the training of rehabilitation professionals working in the field of disability covered under this Act. By amendment to this Act, the Council has also been given the additional function of carrying on training and research activities related to the empowerment of rehabilitation professionals.<sup>62</sup>

*The National Trust For Welfare of Persons With Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999*

Another piece of important legislation that deals with rehabilitation and empowerment of certain categories of disability is *The National Trust For Welfare of Persons With Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999*. It provides for the creation of a National Trust for achieving the following objectives to:

- a) Enable and empower people with disabilities to live as independently and as fully as possible as close to the community to which they belong.
- b) Provide support to people with disabilities to enable them to live within their own families.
- c) Extend support to registered organizations to provide need-based services during a period of crisis in the families of people with disabilities.
- d) Deal with the problems of people with disabilities who do not have family support.
- e) Promote measures for the care and protection of people with disabilities in the event of the death of their parent or guardian.
- f) Evolve procedures for the appointment of guardians and trustees for people with disabilities requiring such protection.
- g) Facilitate the realization of equal opportunities, protection of rights and full participation of people with disabilities.<sup>63</sup>

It covers the following disabilities: autism, cerebral palsy, mental retardation and multiple disabilities.

### *Other legislative issues*

There is no legislation that discriminates against disabled people in the area of employment. However, the recruitment rules contain medical standards to be met by a successful candidate in selection for a given post that impedes the employment of disabled people on various occasions. Apart from this, visually disabled candidates also sometimes face discrimination due to the inflexibility of rules with regard to selection tests for various posts. One such example is a selection test for the Indian Administrative Service Cadre, which required all candidates to complete the test with their own hands. Visually disabled people were disqualified to hold posts within the Indian Administrative Service Cadre until the aforesaid rule was struck down by the Honorable Supreme Court of India on a petition filed by National Federation of the Blind in 1993.

People with intellectual disabilities could not access various employment opportunities in the open market, as they were not considered competent to enter into a contract as per the Indian Contract Act. The Apprenticeship Act 1961, by implication, debar people with disabilities from taking advantage of apprenticeship training opportunities. Section 3 of the said Act states that a person shall not be qualified to undergo apprenticeship training in any designated trade unless he is not less than 14 years-old and satisfies such standards of education and physical fitness as may be prescribed.<sup>64</sup>

Thus, it precludes people with disabilities from inclusion in apprenticeship training opportunities on the ground of their not meeting the set medical standards.

The following two Acts contain provisions relating to compensation and health care in the case of disablement or injury of an employee while at work. Section 3 of Workmen's Compensation Act in the Labour Law provides as follows:

If personal injury is caused to a workman by an accident arising out of and in the course of his employment, his employer shall be liable to pay compensation in accordance with the provisions of this chapter:

Provided that the employer shall not be so liable

- a) in respect of any injury that does not result in the total or partial disablement of the workman for a period exceeding [three] days;
- b) in respect of any injury, not resulting in death or permanent total disablement, and caused by an accident which it is directly attributable to.<sup>65</sup>

The section 46 of Employees' State Insurance Act, 1948 (ESI Act) provides that every insured employee will be entitled to receive disablement benefits at periodic intervals in the case of an employment injury suffered by him and resulting in his disability.<sup>66</sup>

There is no draft or impending legislation dealing with disabled people except the draft of a Bill to amend The Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

### **3.3 Disability policies and regulations**

The inclusion of people with disabilities in all spheres of life, including vocational training

and employment, has been incorporated in the approach paper of the tenth Five-Year Plan, a general development plan for all of India. The following two main focus areas have been identified for action in the tenth Five-Year Plan for the empowerment of people with disabilities:

1. Effective implementation of the Persons with Disabilities Act, 1995, to ensure social justice to people with disabilities with equitable terms.
2. Strengthening and consolidation of the outreach and extension programmes through the National Programme for Rehabilitation of Persons with Disabilities (NPRPD).<sup>67</sup>

The central Government formulated a national policy on disability, as well as a national program for action, in consonance with the world program for action adopted during the International Decade of Disabled Persons proclaimed by the United Nations.

The policy is based on the integration of people with disabilities into the mainstream programme through a community-based rehabilitation approach. In the process of development of this policy, major NGOs working in the field of disability were represented on a committee constituted for the purpose of formulation and finalization of the same. There was no representation by employers or trade unions. A national policy on disabilities, as well as a national programme for action, included actions such as the promotion of integration, integrated education programmes for persons with disabilities and the improvement of quality assistance devices.

The National Programme for Rehabilitation of the Persons with Disabilities, has been formulated as a state sector scheme. This allows rehabilitation services to be provided from the grass root level up to the state level, and involves the community and the other existing organizations. The scheme commenced in 1999-2000. A total of 74 districts were expected to be covered in 2000-2001, wherein services will be provided at gram panchayat, block, district and state levels.

In India, a Comprehensive Law on the entitlements and programmes for people with disabilities has been included in all areas including education, vocational training and employment, rehabilitation, accessibility, and institutional care. As such, there are no provisions specific to disability in labour codes or other legislation relating to education, vocational training and employment.

To implement The Persons with Disability (Equal Opportunities, Protection of Right and Full Participation) Act, 1995, the central Government announces implementing rules entitled: The Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1997. These rules provide a procedure for disability certification and for working out the three per cent reservation quota for the disabled in government and public employment.<sup>68</sup> Similar implementing rules are to be formulated and notified by provincial Governments, as well.

Regulations have also been notified for the implementation of the provisions of the Rehabilitation Council of India Act, 1992. These regulations provide for the following: (a) matters relating to the constitution of the council (b) powers and function of the council and its officers (c) norms for starting a rehabilitation profession course (d) maintenance and publication of a central rehabilitation register.

The Persons with Disabilities, (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, includes all the policy areas and embodies a full rehabilitation programme for people with disabilities. There are also two other acts of legislation, which are the Rehabilitation Council of India Act, 1992, and National Trust for the Welfare of Persons With Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act, 1999. Therefore, there is no other policy or plan dealing with the rehabilitation of people with disabilities, except the annual plans of concerned ministries.

### **3.4 Evaluation and review of policies**

In the areas of government/public training and employment, as well as in poverty alleviation programmes, there is a 3 per cent quota for people with disabilities. As such, the measurable target in the aforesaid areas with regard to the training and employment of people with disabilities is to measure the extent to which this quota is fulfilled. There is no separate quota out of the aforesaid 3 per cent for women with disabilities. As such, the target of 3 per cent reservation does not have a gender dimension.

Four ministries are responsible for monitoring this quota, both jointly and individually. They are the Ministry of Social Justice and Empowerment, the Ministry of Labour, the Ministry of Rural Development and Ministry of Urban Area and Employment. As envisaged by The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, the method for reviewing and evaluation of national programmes and plans are coordinated by:

- the Central Coordination Committee and Central Executive Committee at the national level, and
- the State Coordination Committee and State Executive Committee at the provincial level.

These national plans and programmes are to be in consonance with the Five-Year Plan adopted by the government for the relevant period. Respective ministries formulate and evaluate their plans annually in consultation with NGOs.

### **3.5 Institutional structures**

The key ministries involved in the implementation and monitoring of the policies/services related to vocational rehabilitation of the disabled people are listed below.

- Ministry of Social Justice and Empowerment
- Ministry of Labour
- Ministry of Urban Area and Employment
- Ministry of Human Resource Development
- Ministry of Rural Development
- Ministry of Social Justice and Empowerment

The Ministry of Social Justice and Empowerment facilitates the establishment of programmes for vocational rehabilitation of disabled people through its grant-in-aid scheme in the NGO sector, and also monitors the job quota for disabled people. The Ministry of Labour is

engaged in the inclusion of people with disabilities in its mainstream Craftsmen Training Scheme and Apprenticeship Training Scheme, as well as a national employment-service programme. Both the Ministry of Urban Area and Employment and the Ministry of Rural Development are engaged in the inclusion of people with disabilities in poverty alleviation programmes in general, and their training and employment components in particular. Both of these ministries are also responsible to ensure the fulfillment of the 3 per cent quota.

As already stated, the 3 per cent reservation in open organized government employment is applicable to all government departments and public sector undertakings. Poverty alleviation programmes, along with the training and employment component, are managed and run by Ministry of Rural Development and the Ministry of Urban Areas and Employment. The provincial Governments and local Governments through their respective instruments are also engaged in the implementation of the vocational training programmes for people with disabilities.

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, has envisaged the Central Coordination Committee and the Central Executive Committee at the national level and the State Coordination Committee and State Executive Committees at the provincial levels, as responsible for its implementation. Composition of these committees is such that it provides for the involvement of all concerned ministries/departments and NGOs working with different disability groups both in the formulation of policies and its actual implementation.<sup>69</sup>

The main function of the Central Coordination Committee is to serve as the national focal point on disability matters. In this role, it facilitates the continuous evolution of a comprehensive policy addressing the problems faced by people with disabilities.<sup>70</sup> As per Section 7 of the Persons with Disabilities Act, the Central Coordination Committee is to meet at least once every six months for the discharge of aforesaid functions. Section 8 (2) of the Persons with Disabilities Act illustrates some of the functions of the Central Coordination Committee, which include the tasks listed below:

- a) Review and coordinate the activities of all the departments of Government and non-governmental organizations that are dealing with matters relating to people with disabilities;
- b) Develop a national policy to address issues faced by people with disabilities;
- c) Advise the central Government on the formulation of policies, programmes, legislation and projects with respect to disabilities;
- d) Take up the case of people with disabilities with concerned authorities and international organizations to provide projects for people with disabilities in the national plans and other programmes and policies within international agencies;
- e) Review, in consultation with donor agencies, funding policies from the perspective of the impact on people with disabilities;
- f) Take steps to ensure barrier-free environments in public places, the workplace, public utilities, schools and other institutions; and
- g) Monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of people with disabilities.

State Coordination Committees also discharge similar functions within their respective provinces. Central and State Executive Committees are entrusted with the responsibilities of implementing the decisions of Central and State Coordination Committees respectively, with

the same composition as the Coordination Committees.

The following departments are included in the Central and State Coordination Committees and respective Executive Committees: Welfare, Education, Women and Child Development, Personnel, Training and Public Grievances, Health, Rural Development, Industrial Development, Urban Affairs and Employment and Labour through Director-General Employment and Training. Besides these, national institutes working in the area of each disability run by the Ministry of Social Justice and Empowerment are also included in the Central Coordination Committee. Realizing the importance of participation of NGOs working in the field of disabilities, five people representing each of the disability groups are required to be nominated to these committees by the central and state Governments.

The Ministry of Social Justice and Empowerment, being the nodal ministry, has been given the prime responsibility of implementing the collaboration with other concerned departments and NGOs. Thus, the National and State Coordination Committees represent both the NGOs and employers in building partnerships between the Government and other sectors. Trade unions are yet to be involved in this process.

The Ministry of Human Resource and Development is charged with the responsibility of dealing with matters relating to education.

### **3.6 Other implementing organizations**

The thrust of the policies for people with disabilities has been to provide rehabilitation services and empowerment programmes mainly through NGO initiatives. Since 1960s, the central Government formulated a grant-in-aid scheme under the aegis of the Ministry of Social Welfare to provide funds to 90 per cent of NGOs for recurring expenses to run rehabilitation services and empowerment programmes. This led to the creation of specialized services for people with disabilities in the NGO sector, which laid a foundation for skill development and rehabilitation of people with disabilities. However, since the 1980s, the policy focus shifted from specialized services to the inclusion of people with disabilities in mainstream programmes.

The National Association for the Blind is the oldest service provider organization with placement services and community-based rehabilitation programmes for promoting training and employment of the blind. Another national organization by the name of Parivar is engaged in advocacy as well as in service provision, and works with the parents of people with mental retardation.

There are about 549 organizations that have been given assistance for their programmes in the year 2000-01. These programs have benefited 52,681 people. More than 350 special schools and 140 vocational training centres are being run by the assistance of this scheme, in addition to centres for leprosy-cured and for early identification of disabilities.

## **Part Four: Education, Vocational Training, Self-employment and Employment Services for People with Disabilities**

### **4.1 Education System**

Education had been an area in which states held legislative responsibility, according to the Constitution of India, until 1976. At that point, the responsibility was transferred to the Concurrent List, thereby empowering the central Government, the Parliament, and State Legislature to legislate on matters relating to education. Education is regulated by the Education Codes formulated and notified by respective provincial Governments. These Codes include matters such as the minimum and maximum number of students in a class, minimum and maximum number of students in a school, requirement of space, furniture and other educational material, teacher student ratio, and procedures for the recognition of schools. The Ministry of Human Resource Development is responsible for dealing with the matters pertaining to education, and Departments of Education at the provincial level are responsible for running the educational programs.

India has four layers within its educational system. They are:

1. Elementary/primary standard level, up to Standard 5;
2. Middle school, from standard 6 to 8;
3. Secondary school level, from standard 9 to 12; and,
4. College level from high school graduation onwards.

Schooling is not compulsory in India. However, those who choose educational opportunities have the option of two systems: enrolment in government-run schools or public schools. Government schools charge a low tuition fee between 6 to 10 Rupees (USD 25 cents). For the secondary level of schooling, from standard 6 to 12, public schools have their own fee patterns. Thus, even within the urban areas there is a difference in the quality of education between the students choosing education in public schools run by private management and the schools run by the government agencies. College-level education is imparted by different universities and colleges affiliated to respective universities.

The National Council for Education, Research and Training is responsible for preparing subject courses up to the secondary level. The government has a wide network of schools both in urban and rural areas. For this purpose, two major government organizations have been established: Kendriya Vidyalaya Sangthan and Navodaya School Sangthan. Both these organizations have been established to manage the schools under their control in urban and rural areas. The only difference between the schools run by these organizations is that schools belonging to Navodaya School Sangthan are residential, and fees are not charged for school or for boarding. The majority of the schools of Navodaya Sangthan are in rural areas. Besides this, Indira Gandhi National Open University also imparts various distance learning programmes. The Open school system has also been in practice for those who wish to join the formal education system at a later level. The Government has undertaken various programmes for increasing the coverage of more areas and population, including rural areas, with an objective of reaching universal education. These programmes include the District Primary Education Program, Operation Black Board and Serve Shiksha. These programmes

are aimed at reaching children who could not get into the formal educational programmes with an objective of universal elementary education.

The quality of education between urban and rural areas differs because of the higher concentration of better teaching staff in urban areas, and the prevalence of poverty in rural areas, which forces children to help their parents earn the family's livelihood. The literacy rates show that this is the case in urban areas more than in rural areas. The following table shows the enrolment data for different levels of education.

**Table 4.1 Enrolment by Gender and Stages/Classes Since 1999-2000 Second Level (in Millions)** <sup>71</sup>

Year	Primary			Middle/Upper Primary			High/Hr. Sec./Inter/Pre-Degree		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1999-2000	13.8	5.4	19.2	2.6	0.5	3.1	1.3	0.2	1.5

## 4.2 Educational opportunities for people with disabilities

The Ministry of Social Justice and Empowerment, being the nodal ministry for disabled people, initiated various special education programmes for people with disabilities in the NGO sector by giving them grants-in-aid to run both residential and non-residential special schools for different categories of disabilities. This resulted in the creation of special schools for specific types of disabilities. These schools mainly cater to the educational needs of children with visual impairments, speech/hearing impairments and those who are intellectually challenged. Children with locomotor disabilities usually choose mainstream educational opportunities in spite of physical barriers in schools, colleges and universities. Children with mental and behavioral problems are given education/skill development facilities in the institutions meant for them. They have not been integrated into mainstream schools. The former Ministry of Education (now the Ministry of Human Resource Development), which is responsible for general education, started to share in the responsibility of the education of disabled children as well.

The Ministry of Human Resource Development is implementing a scheme called Integrated Education for Disabled Children (IEDC) with the objective of providing educational opportunities to all children with disabilities under the general school system. The ultimate objective is to integrate children with disabilities in the general education system and to eliminate disparities and equalize educational opportunities to enable them to become equally contributing members of society. It was initially launched in 1973 by the former Ministry of Social Welfare, and was later transferred to the former Ministry of Education in 1982. Under the scheme, financial assistance on a 100 per cent basis is provided to state Governments and NGOs towards supplies and other needs for disabled children, such as books and stationery, uniforms, transport allowance, escort allowance and readers allowance for blind children. In addition, a grant is also provided for the salary of teachers recruited for teaching disabled children and for the official managing the IEDC cell in the state Governments. The scheme also has a component for free school training for disabled children and counseling for their parents. Assistance is also provided for setting up a resource room, the survey and assessment of disabled children, the purchase and production of instructional material and the training and orientation of general teachers. This scheme is implemented in 25 states and four union territories through over 41,600 schools, benefiting more than 1,33,000 disabled

children. Efforts are made for the convergence of different schemes such as the district primary education for educating the children with disabilities.<sup>72</sup>

Another programme taken of the Ministry of Human Resource Development is entitled, “Education and Development for Children with Disabilities.” The primary objective of the programme is to provide education and an opportunity for development to the children with disabilities through residential camps. Previously, such camps were organized with the assistance of United Nations Educational, Scientific and Cultural Organization (UNESCO). During the current financial year, the programme is spread over six selected blocks<sup>4</sup> of the project.<sup>73</sup> The Ministry of Human Resource Development continuously evaluates its biggest programme for education of children with disabilities, the Integrated Education Programme.

The following table shows the enrolment of disabled children at different levels of schooling:

**Table 4.2: Per 1000 distribution of disabled by general education level**<sup>74</sup>

	Not Literate	Up to Primary	Middle	Seco ndary -	Total incl NR	Not Literate	Up to Primary	Middle	Seco ndary -	Total incl NR
All India	701	203	53	35	1 000	462	298	110	123	1 000

Note: NR means “not reported.”

There are a lot of training programmes for teachers who work with children with disabilities in the Government and NGO sectors. These specialized teachers are used in special educational programmes as well as integrated educational programmes. Accurate statistics are not available with regard to the availability of the trained teachers, but there are trained teachers in sufficient numbers who are available for working as teachers for children with disabilities both in special schools as well as integrated settings. Short term orientation programmes are also conducted for teachers in general schools to sensitize them to the special needs of children with disabilities, as well as to instruct them in the methodologies of teaching children with disabilities.

The Ministry of Social Justice and Empowerment has also undertaken a programme of distributing teaching aids and assistance devices to children and people with disabilities pursuing their education. This programme has benefited a great number of children with disabilities.

In brief, while special schools for people with disabilities still play a major role and are run by NGOs, the integrated education programme run by the Ministry of Human Resource Development is a major step ahead for the inclusion of people with disabilities in mainstream education.

### **4.3 Mainstream Vocational Training System**

The Director-General of Employment and Training under the Ministry of Labour runs two major programmes for imparting training basis on the requirement of the industries and job market. These are the Craftsmen Training Scheme and the Apprenticeship Training Scheme.

<sup>4</sup> A block is a smaller unit within the district consisting of some villages of the district.

There is not data available on numbers of people with disabilities in mainstream training by gender and disability type, nor the numbers of students in NGO schools.

### *Craftsmen Training Scheme*

The Craftsmen Training Scheme was initiated in 1950 to meet the requirements of a trained workforce for industry. Currently, there are over 4,465 Industrial Training Institutes (ITIs) with a seating capacity of 650,000. These Industrial Training Institutes, and other allied training courses under the Craftsman Training Scheme, are run by the provincial Governments that have uniform training courses and certification procedures. Some of the trades in which the training is imparted include carpentry, cutting and tailoring, drafting, electrician, engineering technology, turner, welder, fitter and wireman. In addition to this, women are also trained in trades such as secretarial practice, hair and skin care, dress making, electronics and fruit and vegetable preservation.<sup>75</sup> Due to the change in job patterns, new trades such as Information Technology and Electronic System Maintenance<sup>76</sup> have been included in the Craftsmen Training Scheme. The Industrial Training Institutes award diplomas to the trainees of this scheme.

This vocational training programme is yet to be made accessible to all groups of disabilities, though some people with orthopedic disabilities and hearing impairments attend courses. There is a need for promoting accessible environments in these Industrial Training Institutes, for adaptation of syllabi, machines and equipment as well as modification of admission procedures. Though there are instructions for reservation of seats for people with disabilities in Industrial Training Institutes to the extent of 3 per cent, they are not utilized for the above stated reasons.

### *Apprenticeship Training Scheme*

Another important scheme run by the Ministry of Labour is the Apprenticeship Training Scheme. The Apprentices Act, 1961 was enacted to make opportunities available to the trainees in Industrial Training Institutes in order to upgrade their skills through on-the-job training in industrial settings. Under The Apprentices Act, it is obligatory for employers in the public and private sectors to engage apprentices. The Act covers 254 groups of industries, and about 17,800 establishments have engaged apprentices. The qualifications for eligibility as an apprentice range between standard VIII to XII. The minimum age is 14 years, and the period of training ranges from six months to four years, depending on the nature of the trade. Some training of important designated trades in which apprenticeship opportunities are available include machine shop, foundry, metal working, electrical, building and furniture, maintenance, refrigeration and air conditioning trades.<sup>77</sup> This scheme is monitored by the Central Apprentice Council in accordance with the Apprentice Act, 1961 by the Ministry of Labour. There is a reservation for people with disabilities under the scheme (3 per cent), but the same remains greatly under-utilized. The following table shows the utilization of seats including the status of utilization by people with disabilities in the apprenticeship-training scheme.<sup>78</sup>

**Table 4.3 Training Statistics of Trade Apprentices as of 30 June 2001**

	Central Sector	State/ Private	Total
Seats allocated	34 612	182 332	216 944
Seats utilised	25 520	130 014	155 534
Percentage utilisation of allocated seats	74 %	71 %	72 %
Minorities / Weaker Section (Total and percent of seats utilized)			
Scheduled Caste ( SC )	4 468 18 %	15 433 12 %	19 901 13 %
Scheduled Tribes (ST)	1 441 6 %	6 469 5 %	7 910 5 %
Minorities	1 770 7 %	9 513 7 %	11 283 7 %
Physically Handicapped	167 1 %	392 0.02 %	559 0.03 %
Women	1 257 5 %	3 940 3 %	5 197 3 %

Note: Central Sector is run by the central Government, state and private are run by provincial Governments or private management.

There is no data available with regard to completion rate (total and by gender) or outcome data pertaining to the employment of apprentices after training.

Various NGOs and commercial vocational training programmes have emerged to impart newer trades to match the demands of the job market. These include trades pertaining to computers, call centres, medical transcription and marketing skills. These programmes are of crucial importance, as they allow flexibility of diversification in response to changes in the job market.

There is no programme of distance learning for vocational training.

#### **4.4 Mainstream vocational training opportunities for people with disabilities**

A total of 3 per cent of seats have been reserved in all vocational training programmes for people with disabilities, but they are yet to be made fully accessible to each category of disability. People with locomotor disabilities are not able to access these programmes fully due to physical barriers at training and work sites, and people with visual impairments are not able to access them because the machines and syllabi have not been adapted to their needs. The Ministry of Labour has undertaken a programme for making Industrial Training Institutes that offer the Craftsmen Training Scheme accessible to people with disabilities. This programme requires removing physical barriers and the identification of some Industrial Training Institutes is being undertaken for this purpose.

The following table reflects the opportunities available either in mainstream or special vocational training programmes as per the findings of NSSO.

**Table 4.4: Proportion (per 1000 disabled) of 5 year-olds and above who attended any vocational course by type of vocational course <sup>79</sup>**

	Rural				Urban			
	Proportion of disabled who attended vocational course	Engineering	Non-engineering	Total	Proportion of disabled who attended vocational course	Engineering	Non-engineering	Total
All India	12	202	798	1 000	31	266	734	1 000

Note: According to the NSSO practices data is reported according to the following age categories: 0-4, 5-59 and 60-.

#### 4.5 Segregated vocational training opportunities for people with disabilities

The Ministry of Social Justice and Empowerment, under its grant-in-aid scheme, has been responsible for the creation of specialized training programmes for people with disabilities through NGOs. It has also undertaken training programmes for each category of disability through respective institutes. For the most part, only these programmes are providing training to people with disabilities. Most of these specialized training programmes are residential, and trainees are provided with free board and lodging facilities. Special support services such as orientation and mobility training to people with visual impairment are given to the trainees, depending on the need of the specific category of disability as a pre-vocational support service. A list of some disability-specific trades in which training is imparted is listed below.

- a) People with visual impairments: i) Light engineering trades such as lathe machine operation, drilling, lapping, assembling, press operator both power and hand press; ii) unskilled trades such as packing, lift operation; iii) rural and traditional occupations such as basket making, recaning of chairs, weaving, poultry farming, dairy, vi) office jobs such as receptionist, telephone operation, stenography, computer operation, and typing.
- b) People with hearing impairments: i) All industrial operations; ii) draftsman, electrician, photography, pharmacy, typing and computer operation including data entry.
- c) People with intellectual impairments: Training in all repetitive jobs.
- d) People with locomotor disabilities: This group has access to most of the mainstream vocational training programmes. There are very few specialized training programmes for them, and most of the trades are available to them.

The duration of courses for specialized training ranges between six months and two years, depending on the nature of the trade. Most of the specialized training courses are located in urban areas. As such, there are fewer formal training opportunities available in rural areas. There is no study available on the responsiveness of the vocational training system to people with disabilities.

The community-based rehabilitation programme has been undertaken as a nation-wide programme for the rehabilitation of disabled people, keeping in view the size of the country and the scattered population of disabled people. In this process, rehabilitation workers impart informal training to the groups of individuals with disabilities. Besides this, the Ministry of Rural Development also undertakes a scheme for empowering rural poor under its poverty-alleviation programmes. These self-help groups get informal training opportunities in the

trades relevant to their employment. As a part of its scheme called *Dwakra*, the Ministry of Rural Development has also initiated action to cover people with disabilities under this programme. There are no statistics available with regard to the numbers of disabled people enrolled, graduated and employed under this scheme. This scheme is predominantly rural.

The Director-General of Employment and Training under the Ministry of Labour runs 17 Vocational Rehabilitation Centres (VRCs) for the disabled people (including seven Skill Development Centres) throughout the country covering all types of disabilities.<sup>83</sup> These centres evaluate the physical, mental and vocational capacities of disabled people, identify a suitable trade and assist them in procuring either admission to a training programme, job placement or in self-employment. The following table reflects the performance of VRCs in the year 2000.<sup>84</sup>

**Table 4.5: Performance of vocational rehabilitation centres for people with physical disabilities for the year 2000 (Absolute numbers)**

Category	Total
At the beginning of 2000	158
Admitted during 2000	35 62
Evaluated during 2000	34 274
Number who left the centre without completing evaluation	341
Still under evaluation at the end of 2000	210
Rehabilitated during 2000	9 502

Those who register for jobs in the organized sector have to renew their registration every three years. As such, clients of the vocational rehabilitation centre can remain on the live register of vocational rehabilitation centres by renewing their registration until such time that they get a job or become so aged that the possibility of their getting a job becomes very remote. The clients who registered themselves either for rehabilitation services such as assistance devices, artificial limbs, or for self-employment ventures remain on the live register until the service required is made available to them. However, there is no data of follow-up of those who could not be rehabilitated.

Skill development centres are basically vocational rehabilitation centres, and undertake the same activities. Additionally, they also have facilities for training in certain trades for people with disabilities that are made available to the individuals who registered with the vocational rehabilitation centre. There is no data available on the points raised in the research protocol. The training in self-employment ventures is fully informal and is not classroom-based. Data with regard to the performance of vocational rehabilitation centres, which include seven skill centres attached to the vocational rehabilitation centers, has already been given.

#### **4.6 Self-help and vocational training opportunities for people with disabilities**

Self-help and vocational training opportunities for people with disabilities are explained in section 2.7.

#### **4.7 Mainstream employment services**

The Director-General of Employment and Training under the Ministry of Labour administers this service through 938 employment exchanges operated within the framework of Compulsory Notification of Vacancies Act, 1959.<sup>80</sup>

The important functions of these employment exchanges are listed below.

1. Registration of job seekers.
2. Collection of data regarding available vacancies both in public and private non-agricultural sector.
3. Job-placement through placement services.
4. Guidance for self-employment ventures and other needs.

There are some private placement agencies, but these cater primarily to the placement of educated and professional people such as labour welfare officers, sales executives and consultants. There is not data on such services.

#### **4.8 Mainstream employment-services opportunities for people with disabilities**

People with disabilities have also been covered under the government operated scheme. Although employment exchanges under the National Employment Services are generally responsible for the placement of people with disabilities, special employment exchanges were setup over three decades ago for their selective placement. These exchanges attempt to secure for the job seekers with disabilities the most satisfying form of employment suitable to their residual physical and mental potentialities. At present, 42 Special Exchanges are functioning. In addition to this, 41 special cells for disabled people with a special placement officer attached to the normal employment exchanges and funded by the central Government have so far been set up by the Ministry of Social Justice and Empowerment. In 1999 the Special Employment Exchange had an active registry of 455 900.<sup>81</sup>

#### **4.9 Special employment and employment support services for people with disabilities**

In addition to this, NGOs also run placement service programmes for specific categories of disabled persons. Under this approach, placement officers follow-up with the training institutions for people with disabilities, as well as with employers, to identify vacancies. These placement officers also match the skills of disabled people with available jobs, and try to secure placement. The Ministry of Social Justice and Empowerment supports these services financially. These programmes and services are related to open employment and not sheltered employment. There is no outcome data available for people with disabilities placed through NGO-sponsored placement agencies.

#### **4.10 Mainstream support and self-employment and income generation**

Any self-employment venture requires the credit support, marketing support and other assistance in the form of raw material and land. Banking and financial institutions have implemented various credit facilities. All Nationalized Banks and State Financial

Corporations run these programmes. Besides this, District Industrial Centres also give technical advice to entrepreneurs who want to undertake self-employment ventures. These programmes are available to all people, irrespective of age and gender. Provincial Governments also provide marketing support to self-employed people by providing space in their *Hats*, which are markets organized by government agencies, and by purchasing products through the respective outlets.

#### **4.11 Mainstream support for self-employment and income generation for people with disabilities**

People with disabilities have access to all the aforesaid mainstream programmes. However, due to a lack of marketing skills and confidence, people with disabilities have not utilized these opportunities in formal self-employment ventures.

There is no data kept on their participation rate or on the achievement of 3 per cent target. The only statistical information available with regard to the self-employed people with disabilities is in the table given in Table 5.1.

#### **4.12 Self-employment and income generation support services for people with disabilities**

The Ministry of Social Justice and Empowerment established the National Handicapped Finance and Development Corporation<sup>86</sup> in 1997 with the objective of promoting the economic rehabilitation of people with disabilities by offering loans with low interest rates. The loans are targeted to disabled individuals and NGOs for self-employment ventures and skill development. The Corporation works as both a special credit facility for self-employment ventures for people with disabilities, and as a catalyst to build confidence among people with disabilities. Besides this, government departments and municipal corporations also provide sites at public places on a priority basis for stalls for people with disabilities. on priority basis. In fact, this scheme of allotting stalls has started to attract people with disabilities towards self-employment ventures.

#### **4.13 Poverty alleviation**

As a part of poverty alleviation programmes both Ministries of Rural Development and Urban Affairs and Employment are running umbrella schemes for promoting wage employment among urban and rural poor respectively. These include:

- Sampoorna Grammeen Rozgar Yojana (a rural wage employment scheme), administered by Ministry of Rural Development. This scheme is linked with the infrastructure development in the village and provides wage employment to the rural poor in projects such as the construction of roads.
- Swarnjayanti Gram Swarozgar Yojana (SGSY), is a rural self-employment scheme run by the Ministry of Rural Development. It has a goal of improving the family incomes of the rural poor and, at the same time, providing for flexibility of design at the grassroots level to suit the local needs and resources. It aims at establishing a large number of

micro-enterprises in the rural areas. The beneficiaries families (known as *Swarozgaris* or self-employed) may be individuals or self-help groups. The objective is to bring every assisted family above the poverty line in three years subject to the availability of funds.

The emphasis under SGSY is on the cluster approach. For this, four to five key activities are to be identified in each block based on the resources, occupational skills of the people and availability of markets. The key activities are to be selected with the approval of the Panchayat Samitis at the block level and the District Rural Development Agency (DRDA)/ Zila parishad (ZP) at the District Level. SGSY adopts a project approach for each key activity, and project reports are prepared for these activities. The existing infrastructure for the cluster of activities is reviewed and gaps identified. A fund known as the SGSY Infrastructure Fund is maintained by the DRDAs, and can also be utilized to generate additional funding from other sources. The effort under SGSY is to cover 30 per cent of the poor in each block in the next five years. Care is taken to ensure that the maximum number of Panchayats are covered without jeopardizing the quality of the programme. Efforts are also made to involve women members in each self-help group. At the block level, at least half of the groups are exclusively women.<sup>87</sup>

- The Swarna Jayanti Shahari Rojgar Yojana (SJSRY) (urban employment scheme) seeks to provide gainful employment for the urban unemployed or underemployed through encouraging the setting up of self-employment ventures or provision of wage employment.<sup>88</sup>

Although 3 per cent allocation in all of the above noted mainstream poverty alleviation programmes are to be made available for disabled people as per the provisions of The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, there are no proper mechanisms or procedures established to ensure its compliance.

#### **4.14 Staff training for vocational rehabilitation**

As already stated, there are various training programmes for rehabilitation professionals, placement officers and guidance counselors working in the field of disability both in government and the NGO Sector. The quality of these training programmes and competence of rehabilitation professionals are regulated by Rehabilitation Council of India.

#### **4.15 Barriers and gaps**

People with disabilities are precluded from accessing or benefiting from mainstream educational, vocational training, employment and self-employment and income generation programmes on account of physical, communication, transportation and attitudinal barriers. Some of these barriers are listed below.

1. Prevalent negative attitudes about the potential of people with disabilities as contributors.
2. Physical barriers making public buildings, facilities, work places inaccessible.
3. Inadequate educational and skill development programmes.
4. Non-inclusion and inaccessible mainstream vocational training and employment programmes.

5. Mismatch of existing training and skill development programmes for people with disabilities with the demand in the job market.
6. Adherence to strict medical standards in mainstream training opportunities such as Craftsmen Training Scheme and Apprenticeship Training Scheme.
7. Lack of adaptation of training programmes and equipment to enable participation of people with disabilities of any type.
8. Inflexibility in the existing training programmes for disabled people resulting into their exclusion.
9. Continuance of obsolete training programmes.
10. Lack of partnership between the government, employers, NGOs and trade unions.

## Part Five: Employment Opportunities for People with Disabilities

### 5.1 Open employment opportunities for people with disabilities

As per the findings of the National Sample Survey 1991, the following table reflects the status of disabled people with regard to the number of placements in employment.

**Table 5.1: Distribution of disabled 5 year-olds and above by usual activity status (per 1000)**<sup>85</sup>

In Labour Force					Out of labour force			
Self-empl in agriculture.	Self-employed in non-agriculture	Regular Employee	Casual Labour	Unemployed	Attending educational institution	Attending domestic	Begging	Others
133	42	20	95	7	110	135	7	450

Note: According to the NSSO, activity surveys include three groups: employed, unemployed, out of the labour force. NSSO also reports data according to the following age categories: 0-4, 5-59 and 60-. Therefore, young people fall under the category of out of the labour force.

While the Disability Act has adopted a scheme of 3 per cent reservation for disabled people in government public sector open employment, it has also adopted a strategy of giving incentives to private employers for promoting employment of disabled people. Some of the identified jobs notified by Ministry of Social Justice and Empowerment are given below. Each category of disability is placed against the jobs identified for them to fill their respective quota in accordance with the scheme of reservation under Section 33 of Persons With Disabilities (Equal Opportunities, Protection of Rights & Full participation) Act, 1995.

#### *Identified jobs for people with locomotor disability and cerebral palsy*

Group A jobs: finance manager, chief accountant, finance advisor, agriculture scientists, director, assistant director, economic analyst, editors of publications;

Group B jobs: section officer, audit officer, foreman, assistant engineer, hostel manager;

Group C jobs: laboratory assistant, agriculture engineer, draughtsman, train examiner, textile designer, cloth examiner, filter man, leather cutter; and

Group D jobs: wood turner, carpenter.

#### *Identified jobs for the hearing impaired*

Group A jobs: director, senior research officer, scientist (information technology), operation officer, senior designer, mechanical engineer;

Group B jobs: sub-editor, artist, day manager, joint director, administrative officer;

Group C jobs: laboratory assistant, physical, lithographic artist, decorators, school inspector; and

Group D jobs: photostat camera operator, glass painter and white washer.

#### *Identification jobs for the visually impaired*

Group A jobs: bank officer, day general manager, research officer, bank policy and planning officer, public grievances marketing officer, instructors;

Group B jobs: vice principal, head master, teacher secondary school, junior analyst, assistant

editor in Hindi, assistant law officer;

Group C jobs: translator, medical social worker, singer, computer operator, inquiry clerk or information clerk, telephone operator, field officer, stenographer; and

Group D jobs: washing machine operator, carpet repair, letter-box assistant, carpenter, postman, duplicating/cyclo-styling, office assistant.<sup>89</sup>

Teleworking and home-based or non-traditional employment structures in the open market are yet to be created for people with disabilities.

Advances in information technology have no doubt provided new employment opportunities for people with disabilities. These opportunities can be fully utilized if proper adaptation in software is made. People with visual impairments have already started working in the computer field in such areas as medical transcription.

Job opportunities in the open labour market have also been lost by people with disabilities due to advances in technology. For instance, the job of telephone operator, stenographer and typist were available to visually impaired people, but due to the change in communication technology and computers, these jobs have considerably been reduced. Similarly, since most of the jobs available to people with disabilities in the organized sector were available in the government and public sector, globalization has reduced the job opportunities in this sector. The government has started dis-investing in the public sector, which results in the reduction of workforce in this sector. Unfortunately, it has come at a time when the private sector is not fully sensitized to the potential of people with disabilities as contributors. In urban areas, the impact of globalization is visible both in the general job market and in the job market for people with disabilities.

Further analysis of the trends emerging in the job market after India chose the path of globalization reveal that the growth of employment in the service sector is much higher than any other sector. However, training programmes do not match the demand of the service-sector, leaving people with disabilities unable to utilize the available jobs in this sector through this transitional phase.

## **5.2 Employment opportunities for people with disabilities in protected work environments**

Severely disabled and intellectually challenged people depend on protected or sheltered employment. Initially, the government adopted the approach of sheltered employment for all types of disabilities. It encouraged the NGOs and providential Government to run sheltered workshops for disabled people. However, with the change of the thrust of policy to include disabled people in mainstream employment, sheltered employment is encouraged only for intellectually challenged people and those with multiple disabilities. Protected employment is mainly implemented through NGOs. There are two approaches for providing protected employment. The first approach is to establish residential sheltered work centres and provide jobs for people with disabilities on either a daily rated wage basis, or on the basis of wages linked with production. In this type of programme, concerned NGOs take the contract from industries or from Government and are responsible for the discharge of contractual obligations. Another approach is to facilitate work on contract for a group of disabled people and ensure availability of work to them. The Government has earmarked some jobs to be given specifically to organizations of people with disabilities or to disabled individuals.

These include recaning of chairs, procurement of chinks and the binding of books and registers.

Organizations of disabled people are also given land at preferential rates for the establishment of such work centres by municipal cooperatives. There is no data available with regard to the type of protected job opportunities and the number of people employed there, nor is there data available about the number or proportion of people with disabilities who transition from protected to open employment. There is no data available about these sheltered workshops, nor is there any scheme of registration of the workshops. Strictly speaking, these sheltered workshops fall within the definition of industry and are therefore covered by the Minimum Wages Act.

### **5.3 Self-employment opportunities for people with disabilities**

In the changing job market scenario, self-employment initiatives have become very important for the economic rehabilitation of disabled people. Some of the initiatives have already been stated in preceding sections, particularly in Section 4.10. Besides this, the Department of Communication has also given priority to disabled people in the allotment of sales booths at public places. Statistics have already been given in Section 4.9 above.

### **5.4 Other segregated or protected employment opportunities for people with disabilities**

Cooperatives of people with disabilities have not been proven to be a good alternative for generating employment. There are no statistics available with regard to the number of people employed in cooperatives, or the types of job opportunities available in this mode.

### **5.5 Barriers and gaps**

Barriers have already been identified in Section 4.15 and 5.1.

## **Part Six: Employment-promotion Activities Involving Social Partners**

### **6.1 Government or NGO employment-promotion activities directed at employers**

Building partnerships between NGOs, government, trade unions and employers organizations is important for improving the employment status of people with disabilities. Some initiatives have been undertaken by NGOs and the government to sensitize and educate employers and other social groups about the skills and possibilities. One such initiative was the programme to demonstrate the skills of the visually disabled. This was followed by a government initiative by the Ministry of Social Justice and Empowerment in the form of organizing exhibitions of assistance devices at different business centres of the country. There is no other initiative.

### **6.2 Government of NGO employment-promotion activities directed at trade unions or workers' organizations**

No specific initiative has been undertaken to educate trade unions with regard to the training and employment opportunities for the disabled.

### **6.3 Employer, trade union or workers' organization employment-promotion activities**

The researcher is not aware of any employer-driven or trade union initiated activities for building partnerships with Government or NGOs to promote the training and employment of people with disabilities.

## **Part Seven: Summary and Future Directions**

### **7.1 Looking back over the past decade – 1993-2002**

The inclusion of people with disabilities in mainstream training and employment activities has not only been given statutory recognition by virtue a number of legislative changes but also the decade has seen the development of policies and programmes to ensure that inclusion becomes a reality.

The most notable legislative change was the enactment of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. This Act established a Central Coordination Committee and Central Executive Committee providing a disability focal point. Other initiatives included a quota system to promote government and public sector employment with a target of at least five per cent of the workforce of every private establishment being composed of people with disabilities and a scheme for preferential allotment of land at preferential rates to both nondisabled and disabled entrepreneurs in order to promote the training and employment of people with disabilities. The Act protects disabled employees from dismissal and also against denial of promotion on the ground of disability.

Developments in policy in this area include three per cent reservation for people with disabilities in Government and public sector jobs, three per cent allocation of all poverty alleviation programmes for people with disabilities and three per cent reservation of all vocational training programmes for people with disabilities. The National Employment Services of the Ministry of Labour also include people with disabilities within their remit. In addition the loan facilities from nationalized banks and financial institutions, the Ministry of Social Justice and Empowerment has established the National Handicapped Finance Development Corporation for advancing loans to people with disabilities people for training and self-employment.

### **7.2 Looking Forward**

Over the last decade, many policies and programmes have been developed to ensure people with disabilities can exercise their right to training and employment, nevertheless gaps and barriers remain. Some of the most prevalent are lack of awareness of the employability of people with disabilities, accessibility, mismatch between exiting training/skills development programmes and the labour market, lack of employment and training support for severely disabled persons and lack of consultation and partnerships between the government, employers, NGOs and trade unions.

The key objective of the tenth Five-Year Plan for the period 2002-2007 is to focus on the implementation of the provisions of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, and thereby to strengthen the National Programme for Rehabilitation of People With Disabilities.

The National Federation of the Blind, one of the largest advocacy organization in the country, has made the following recommendations, which are under consideration by the Government.

These recommendations are geared to reduce the impact of globalizations on the training and job opportunities for people with disabilities, and also to implement various provisions of the Act. Some of these recommendations include extending the quota system to the private sector employment, implementation of the incentive scheme as stated within the Act.

In brief, India has a good network of specialized training programmes for people with disabilities. Steps are now being taken to include disabled people in all mainstream training and employment programmes. Due to the decline in the growth rate of the job market and changes in job patterns, vocational training and employment strategies will have to be suitably modified to match the new trends in the job market.

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## **About the Author**

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Mr. Rungta is a practicing advocate in the Supreme Court and Delhi High Court. Notably, his performance in case National Federation of Blind versus Union of India was recorded with appreciation by the Honourable Supreme Court of India. This case pertained to the rights of people with disabilities in general and blind persons in particular to compete for the Indian Administrative Service (IAS) and to hold posts in IAS Cadre. At a national level, he has worked on a number of Government committees throughout his career, the most recent of which was the National Human Rights Commission's Core Group on Disability in 2001. He has contributed to the field of disability at the international level, as well. At present, he is an executive member of the World Blind Union and chairs the Working Committee of South Asian Network of Self-Help Organizations of People with Disabilities.

# Research Protocol

## PART ONE: COUNTRY OVERVIEW

### 1.1 Introduction

- Brief history and current events
- Brief introduction to level of development and UNDP Human Development Index

### 1.2 Geography

- Area in square kilometers
- Topography and climate
- Rural/urban configuration

### 1.3 Population

- Total population
- Geographic distribution, including rural/urban
- Annual growth rate (total and by gender)
- Life expectancy (total and by gender)
- Age composition (total and by gender)
- Literacy levels (total and by gender)
- Unusual demographic patterns (e.g. declining birth rate affecting workforce, etc.)
- Primary religious groupings

### 1.4 Government and general development plans

- Form of government
- Political system and stability
- Structure of government, including number of ministries
- Administrative structures (i.e., central and local, including number of provinces/states and description of local government structures)
- Influence of central government vis a vis local structures and influence
- Socio-economic/development objectives and strategies (e.g. 5-10 year plans), especially in relation to training and employment and/or people with disabilities

### 1.5 Economic composition and status

- Economic sectors such as the size and significance of the country's primary agricultural, manufacturing and service industries
- Relative sizes of the formal and informal sectors of the economy
- Current annual GDP, GDP per capita, and annual growth rates
- Percentage of people below the international poverty level
- Impact of recent current events on economy, if appropriate (e.g., impact of the Asian economic crisis, political instability, etc.)
- Economic projections

- 1.6 Labour markets
- Labour force participation (total and by age and gender)
  - Unemployment rates (total and by age and gender)
  - Underemployment rates defined as less than 35 hours per week (total and by age and gender)
  - Relative levels of open employment, multiple employment (individuals holding more than one job), and self-employment (total and by age and gender)
  - Levels of employment in the formal and informal sectors (total and by age and gender)
  - Wage levels for the primary occupations in the formal and informal sectors
  - Identify and describe any special issues that impact the country labour markets (e.g. importing labour, high rates of youth unemployment, ageing workforce, etc.)

## **PART TWO: PEOPLE WITH DISABILITIES---DEFINITIONS, DATA AND SITUATION**

- 2.1 Identify and describe the most common definition(s) of disability used, especially the legal definition(s). If multiple definitions exist, describe them and reference their sources.
- 2.2 Identify and describe the primary disability classification system(s) used for official government purposes. If multiple classification systems exist, cite their sources, describe them and explain how they are used.
- 2.3 Identify and describe the major sources of disability information. For each, specify the
- Nature of the source (e.g., Census, national database, survey, registration for services, study, etc.)
  - Definition of disability and classification system
  - Data gathering procedures
  - Scope (e.g., aimed at all disabled persons, a disability subgroup, a geographic part of the country, etc.)
  - Primary demographics and findings to include, as available, the number of and types of disabled persons, principle causes of disability, gender, literacy level, education, employment status, and income levels
  - Problems that may have existed in collecting information or that affect the validity of the available data (e.g., unclear definitions, etc.).
- 2.4 Cite and describe national data sources and statistics related to the number of people disabled by on the job injuries and cite return to work rates, if available.
- 2.5 Describe the environmental factors affecting the full social participation of people with disabilities in all aspects of life, especially their direct participation in training and employment. Note those specific to certain disability groups. For example:
- Environmental accessibility/barriers

- Communication accessibility barriers (e.g., sign language development/use, signage, use of Braille, etc.)
  - Transportation accessibility/barriers
  - Others.
- 2.6 Describe social factors that may also affect participation including
- Prevailing cultural attitudes toward disability (including religious beliefs)
  - Negative attitudes or misconceptions (note disability specific attitudes)
  - Societal and family expectations for people with disabilities by gender, if appropriate.
- 2.7 Identify and describe the primary advocacy organizations of (not for) disabled persons and their advocates. In particular, note
- If the organizations represent a single disability group or all types of disabilities
  - Number of members and geographic scope
  - Objectives, influence and services, especially those related to employment and training.

### **PART THREE: LEGISLATION, POLICIES AND INSTITUTIONAL STRUCTURES**

#### 3.1 International policies adopted

- Has the country ratified the Asia Pacific Decade Declaration? If so, when?
- Has the country ratified ILO Convention No. 159? If so, when? Describe any supervisory comments.

#### 3.2 National legislation, official decrees, etc.

- Describe reference to equal rights, especially of disabled persons in the Constitution.
- Cite and describe any global disability rights or disability-specific legislation.
- Cite and describe legislation that currently influences persons with disabilities in relation to (include name, date, purpose, and disability provisions or lack thereof):
  - Education, vocational training and/or human resource development
  - Employment, wage, and labour issues
  - Income generation, self-employment and enterprise development
  - Transportation, housing and building codes, assistive devices, other.
- Cite and describe in detail any employment promotion legislation or provisions to promote employment of people with disabilities, such as quotas, levies, employer incentives, laws protecting employment rights, etc.
- Cite and describe any national legislation that discriminates against disabled persons, for example, with regard to employment in certain professions, etc.
- Cite and describe vocational rehabilitation provisions contained in the country's workers' compensation, social security and/or employment injury laws.
- Cite any other legislation that promotes or hinders the training and employment of people with disabilities.
- Describe any draft or impending legislation that deals with disabled persons.

### 3.3 Disability policies and regulations

- Cite and describe the national development plan as it relates to training and employment or includes the mention of people with disabilities.
- Cite and describe significant existing regulations or policy statements to implement the legislation described in 3.2.
- Cite and describe the national plan regarding vocational rehabilitation, training and employment for disabled persons, or a general rehabilitation/disability plan that includes these issues. Include the date developed, when and how the plan was developed, who was involved in its development and if workers' and employers' organizations and people with disabilities were included, the process for developing the plan, and its significant contents.
- Cite and describe any policies and/or regulations related to the availability of vocational rehabilitation staff and their competency and training.
- Cite and describe any policies and/or regulations related to vocational rehabilitation research activities.
- Cite and describe any other policies and regulations that relate to the training and employment of people with disabilities, their equal treatment, and their access to support services to enable them to secure employment and training.

### 3.4 Evaluation and review of policies

- Are there measurable targets with regard to the training and employment of people with disabilities? If yes, describe these targets, including gender dimensions and requirements for joint action by all ministries (such as those responsible for employment, training, small enterprise or rural development).
- Describe methods of reviewing and evaluating national plans or policies.

### 3.5 Institutional structure for policy and service implementation

- Briefly describe the historical evolution of vocational rehabilitation and other strategies to foster the employment of people with disabilities.
- Identify and describe the activities of the key government ministries or semi-autonomous organizations involved in implementing the policies and overseeing the services related to the vocational rehabilitation of disabled persons.
- Identify and describe any national coordinating body [ies] in support of employment and training activities for disabled persons, including the composition, structure and functions.
- Identify and describe any inter-ministerial groups or committees in support of employment and training activities for disabled persons.
- Describe the role of local (state/provincial) government in implementing disability policy.

### 3.6 Other implementing organizations

- Describe the relationship between the government, the private sector and the NGO community regarding the implementation of disability policies and vocational rehabilitation services. In particular, note the funding relationship between government and NGOs, including organizations of/for disabled persons, and how they cooperate to implement policies or deliver services in response to policies (e.g., funding arrangements, policy implementing roles, partnerships, collaborations, etc.).
- Describe any policy implementation or service provider roles for employers' groups

and trade unions.

## **PART FOUR: EDUCATION, VOCATIONAL TRAINING PRACTICE AND EMPLOYMENT**

### 4.1 General education system

- Describe the structures of the primary, secondary and post-secondary education systems.
- Is schooling compulsory, and if so, to what level?
- Are fees charged, and if so, how much and to what level?
- Provide enrolment data for each level of schooling (total and by gender).
- Describe any urban/rural differences in educational systems and opportunities.

### 4.2 Educational opportunities for persons with disabilities

- Cite data or estimate the proportions of the disabled population that receive primary, secondary and post-secondary education (by gender and disability type).
- Identify and describe the educational opportunities for disabled persons in the country's mainstream educational systems, and estimate the numbers of disabled persons enrolled at each level (by gender and disability type).
- Identify and describe NGO-sponsored educational opportunities for disabled persons, and estimate the numbers enrolled (by gender and disability type).
- Identify and describe the educational opportunities for disabled persons in other systems that may exist (e.g., community based rehabilitation programmes) and estimate the numbers enrolled (by gender and disability type).
- Estimate the retention rates for persons with disabilities in each of the above systems.
- Describe the availability of appropriate teaching aids, assistive devices and facilities for promoting successful educational outcomes for persons with disabilities.
- Describe the nature and extent of disability related teacher-training programmes for teachers in the mainstream and special educational systems.
- Describe differences in availability and/or quality of educational services related to urban and rural areas, type of disability or gender variables.
- Cite data, evaluation studies or other authoritative sources to describe the quality of education services for students with disabilities.

### 4.3 The mainstream vocational training system

- Describe the formal vocational training system (i.e., certificate, diploma or qualification based), including oversight bodies, ministry or ministries involved, institutional structures, and types of training courses offered.
- Describe the informal vocational training system (i.e., provides skills training that does not result in formal qualifications), including ministries involved, institutional structures and types of training courses offered.
- Identify and describe programme[s] to provide vocational training through distance learning.
- Identify and describe work-based and apprenticeship opportunities.
- Identify completion rates (total and by gender) and outcome data (percentage who are employed or self-employed after training) that are available for the different types of training.

- Describe the availability of NGO or commercial vocational training programmes and their importance to the overall human resource development system.
- 4.4 Mainstream vocational training opportunities for people with disabilities
- Identify and describe any existing opportunities for mainstreaming and/or special support services for disabled trainees in the mainstream formal and informal vocational training systems.
  - Identify disabled persons enrolment and completion rates (by gender and disability type) and outcome data (percentage who are employed or self-employed after training) that are available for the different types of training.
  - Discuss differences in availability and/or quality of mainstream vocational training related to urban and rural areas, type of disability and gender variables.
- 4.5 Segregated vocational training opportunities for people with disabilities
- Identify and describe any existing segregated government and NGO-sponsored vocational training systems and programmes for persons with disabilities, including those providing formal and informal vocational training and any distance learning or apprenticeship opportunities.
  - Describe special accommodations or special support services offered to students, including follow-up.
  - Describe prevocational, remedial or other specialized training that may be offered.
  - Describe the types of occupational skills taught, and discuss their relevance to labour market and self-employment opportunities.
  - Describe the nature and extent of disability related instructor-training programmes for those in mainstream and segregated systems.
  - Identify (or estimate) completion rates (total and by gender) and outcome data (percentage who are employed or self-employed after training) that are available for the different types of training.
  - Discuss differences in availability and/or quality of mainstream vocational services related to urban and rural areas, type of disability and gender variables.
  - Cite evaluation studies or other authoritative sources to describe the quality and responsiveness of the vocational training system to people with disabilities.
- 4.6 Self-help and peer vocational training opportunities for people with disabilities
- Identify and describe any existing self-help or peer vocational training programmes.
  - Estimate the number of disabled persons enrolled, graduated and employed as a result of their participation by gender and by disability type.
  - Discuss any differences in availability and/or types of self-help and peer vocational training related to urban and rural areas, type of disability and gender variables.
- 4.7 Mainstream employment services
- Identify and describe the government sponsored employment services system (i.e., providing assessment, vocational guidance and job placement services), the responsible ministry or ministries involved and particular groups targeted.
  - Describe the institutional service delivery structures (e.g., schools, employment offices, and outsourcing to NGOs) and nature and extent of services provided.

- Identify significant NGO-sponsored employment programmes, the services that are offered, and the target groups (e.g. youth or women) served.
  - Discuss any differences in availability and/or types of employment services based on urban/rural or gender dimensions.
- 4.8 Opportunities for people with disabilities in mainstream systems
- Identify and describe any existing opportunities for mainstreaming and/or special support services for disabled job seekers in the mainstream employment services.
  - If mainstreaming occurs, provide data or estimate the proportion of disabled persons who use the mainstream system (s) and their success rate in terms of employment outcomes.
- 4.9 Special employment and employment support services for people with disabilities
- Identify and describe special employment and employment support services available to people with disabilities through government agencies, NGOs, schools or other sponsoring institutions.
  - Describe the structures for delivering employment and employment support services (e.g., employment offices, work oriented rehabilitation centres or sheltered workshops, special vocational schools, etc.).
  - Describe the services offered, especially disability specific employment support services (e.g., vocational assessment, peer group counseling, work experience or adjustment services, supported employment, job analysis, selective placement, etc.).
  - Note if these services focus entirely on open employment, or include placement in sheltered employment, enclaves or other protected environments.
  - Identify the number of persons served by gender and disability type and the number placed in employment (open employment, protected employment or self-employment) by gender and by disability type.
- 4.10 Mainstream support for self-employment and income generation
- Identify any government sponsored self-employment and income generation services and the responsible ministries.
  - Describe the services offered (e.g., business planning, business development training, access to credit. etc.) and target groups.
  - Identify any NGO sponsored self-employment and income generation programmes.
  - Describe the services offered (e.g., business planning, business development training, access to credit, etc.) and target groups.
- 4.11 Mainstream support for self-employment and income generation for disabled persons
- Describe opportunities for inclusion of people with disabilities in self-employment programmes by identifying mainstreaming policies and special outreach and support services.
  - Describe the extent to which people with disabilities are included in such programmes by citing or estimating participation and outcome rates.

- 4.12 Self-employment and income generation support services for people with disabilities
- Identify support programmes for self-employment and income generation for people with disabilities sponsored by governments, NGOs or special schools and training facilities.
  - Describe the services offered and target groups.
  - Identify the participation and outcome data (number starting businesses) by gender and by disability type.
- 4.13 Poverty alleviation programmes
- Describe any major poverty alleviation programmes and their sponsors and related ministries (if not identified in 4.11 or 4.12).
  - Identify policies and practices related to the inclusion of people with disabilities.
  - Identify or estimate the participation rates of people with disabilities in such programmes.
- 4.14 Staff training for vocational rehabilitation
- Identify and describe training programmes for professionals providing vocational rehabilitation and training and employment services for people with disabilities.
  - Describe the availability of competent trained personnel related to vocational rehabilitation practice (e.g. trained rehabilitation counselors, vocational assessors, vocational counselors, job placement specialists, etc.). Cite data, if available, and estimate the proportion of disabled persons.
- 4.15 Barriers/gaps related to services
- Identify specific barriers that people with disabilities face in accessing or benefiting from educational, vocational training, employment and self-employment and income generation services, both mainstream and segregated (e.g., related to accessibility, transportation, support services, availability of assistive devices, trained instructors, policy support, etc.).
  - Note gaps in services that may exist (e.g., such as for those with certain types of disabilities, age, ethnic or gender groups, those residing in certain geographic areas, etc.).
  - Whenever possible, identify data or a rationale to support the identification of these barriers or gaps.

## **PART FIVE: EMPLOYMENT OPPORTUNITIES**

- 5.1 Open employment
- Identify and describe open employment opportunities for people with disabilities in the public, for profit and not for profit sub sectors.
  - Estimate or provide data related to the number employed (by gender and by disability type) especially in relation to the types of jobs, wages, benefits, and career advancement potentials in the open labour market.
  - Identify and describe any teleworking, home-based or other non-traditional employment structures in the open market.

- Identify and describe employment opportunities that have developed because of advances in information technology, the Internet and the computer industry.
  - Identify and describe any decreases in open employment opportunities, especially related to employment of disabled persons, such as job loss due to technology, trade or globalization issues, the impact of transition economies, etc.
- 5.2 Employment opportunities for people with disabilities in protected work environments
- Describe the available employment opportunities in protected work environments designed for people with disabilities including the following:
    - Government set-aside job programmes (i.e., jobs that are set aside or give priority to people with disabilities, such as sale of lottery tickets in Thailand)
    - Sheltered workshops and work centres for people with disabilities.
    - Supported employment programmes
    - Enclaves (segregated work setting for people with disabilities within larger companies)
    - Other.
  - For each type of protected job opportunity, provide data or estimate the number of people employed (by gender and by disability type), especially in relation to the types of jobs, wages, benefits and rehabilitation services that are available to participants in these protected work programmes.
  - Explain and describe opportunities and specific services for transitioning workers with disabilities from protected employment to open employment.
  - Cite data or estimate the numbers or proportions of people with disabilities who transition from protected to open employment.
- 5.3 Self-employment opportunities for persons with disabilities
- Identify and describe self-employment opportunities for disabled persons in the formal sector, and estimate the numbers of people employed and the incomes of self-employed people with disabilities in the formal sector.
  - Identify and describe self-employment opportunities for disabled persons in the informal sector, and estimate the numbers of people employed and the incomes of self-employed people with disabilities in the informal sector.
  - Identify any special government or NGO programmes to support or assist people with disabilities in self-employment, such as special marketing schemes, tax breaks, etc.
- 5.4 Identify and describe other segregated or protected employment opportunities that may exist, such as disabled persons cooperatives, welfare enterprises, etc. and estimate the number of persons employed, types of job opportunities, wages, and number and types of disabled persons served.
- 5.5 Barriers and Gaps
- Identify specific barriers that people with disabilities face in accessing or benefiting from employment opportunities including those in open, formal, informal and protected environments (e.g., related to accessibility, transportation, support services, availability of assistive devices, discriminatory practices, lack of policy support, etc.).
  - Note specific gaps to accessing employment opportunities that may exist (e.g., such as for those with certain types of disabilities, age, ethnic or gender groups, those

- residing in certain geographic areas, etc.).
- Whenever possible, identify data or a rationale to support the identification of these barriers or gaps.

### **PART SIX: ACTIVITIES INVOLVING SOCIAL PARTNERS**

- 6.1 Identify and describe any government or NGO initiatives specifically designed to educate, raise awareness in, or provide supports and encouragement to, employers who are involved in the training or employment of people with disabilities.
- 6.2 Identify and describe any government or NGO initiatives specifically designed to educate, raise awareness or provide supports and encouragement to trade unions or workers' organizations that are involved in the training or employment of people with disabilities.
- 6.3 Describe any employer or trade union initiated activities, partnerships, or liaisons with government or NGOs that are specifically designed to promote the training and employment of people with disabilities.

### **PART SEVEN: SUMMARY AND FUTURE DIRECTIONS**

- 7.1 Looking back over the past decade 1992-2002
  - Describe significant changes in policy and practice over the past decade.
  - Describe specific progress or lack of progress.
- 7.2 Looking forward
  - Describe major barrier needs related to policies and practices for equal opportunity and treatment of people with disabilities in regard to training and employment.
  - Describe major strengths or opportunities related to policies or practices in regard to training and employment of people with disabilities.
- 7.3 Plans and recommendations from in-country
  - Cite and describe goals, directions, and targets from official government planning documents related to training and employment policies and practices and specify time frames.
  - Cite and describe any current recommendations made by advocacy or disability organizations related to the future of employment and training policies and practices.
  - Cite and describe any other recommendations, studies or analyses within the country that pose specific recommendations about the future of policies and practices for the training and employment of people with disabilities.



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