

15. Solution To the Problems of The Disabled\Handicaped

Tanvir Ahmed

Teacher
Longking Engineering.

Introduction:

Every student with a disability has different hurdles they must overcome on a daily basis. It's important to remember that the following solutions may not apply to every individual, but are simply suggestions to get started on managing potential issues that may occur in the classroom.

Accommodation for all students in the classroom is paramount. Every child deserves equal educational opportunities, no matter their physical or intellectual ability.

“Children with Learning and Developmental Differences.” Students learn about the challenges faced by children with conditions such as **dyslexia**, dyscalculia, and dysgraphia, as well as the teachers, administrators, and medical teams working with them.

Mental health, particularly among students, is of interest to psychiatrist **Arthur Kleinman**. The Esther and Sidney Rabb Professor of Anthropology in the FAS, professor of medical anthropology in global health and social medicine, and professor of psychiatry at Harvard Medical School has been teaching for more than 40 years and has noticed marked changes in how students approach mental health issues.

“People are much more open about this,” said Kleinman, who noted that he used to discourage students from disclosing mental health issues because of stigma. Learning outcomes among schoolchildren show significant scope for improvement.

The National Achievement Survey (NAS) of 2021 reported an average learning level of 59% in grade 3, 49% in grade 5, 42% in grade 8 and 36% in grade 10.

This indicates a decline in learning levels with an increase in grade level and has far-reaching implications for young Indians' readiness for the 21st-century workplace and India's preparedness for the Fourth Industrial Revolution.

Definition:

Disable: When an injury *disables* someone, it leaves the person seriously hurt, probably for the rest of their life. Example: If a car accident *disables* you, you are permanently limited in some physical way.

Meaning of disabled:

The meaning of DISABLED is impaired or limited by a physical, mental, cognitive, or developmental condition: affected by disability. Children and adolescents with disabilities are a highly diverse group with wide-ranging life experiences. They live in every community, and are born with or acquire distinct impairments that, in relation to their surroundings, lead to functional difficulties like seeing, walking, communicating, caring for oneself or making friends.

Define Handicapped:

A mental or physical disadvantage, such as blindness or a missing leg, is a *handicap*: something that disables you in some way. *Handicaps* can also be imposed artificially to even out the odds in sporting events.

Difference Between Disable and Handicapped:

1) A **disability** is an inability to execute some class of movements, or pick up sensory information of some sort, or perform some cognitive function, that typical unimpaired humans are able to execute or pick up or perform. A disability may be physical, cognitive, mental, sensory, emotional, developmental or some combination of these.

i) A **handicap** is an inability to accomplish something one might want to do, that most others around one are able to accomplish. For example, reading, walking, catching a ball, or communicating.

2) While physical disabilities are easy to identify and appreciate, mental disabilities require the same level of thought when designing systems. Examples include sensory processing challenges that make it hard for some people to stay in very noisy environments or areas with flashing or fluorescent lights. Some kids may have attention, communication or cognitive challenges that can be mitigated by providing extra time for taking their tests. These are all examples of ways in which systems can be designed to let people overcome their disability so it does not become a handicap.

Problems And Solutions of Disabled Students in India:

- 1) Disabilities is an umbrella term, covering impairments, activity limitations, and participation restrictions.
- 2) An impairment is a problem in body function or structure.
- 3) An activity limitation is a difficulty encountered by an individual in executing a task or action.
- 4) A participation restriction is a problem experienced by an individual in involvement in life situations.
- 5) As per Census 2011 in India, out of the total population of 121 crore, about 2.68 Cr persons are 'Disabled' (2.21% of the total population)
- 6) Out of 2.68 crore, 1.5 crore are males and 1.18 crore are females&Majority (69%) of the disabled population resided in rural areas

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Constitutional Frameworks for Disabled in India:

- Article 41 of the Directive Principles of State Policy (DPSP) states that State shall make effective provision for securing right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, within the limits of its economic capacity and development.
- The subject of 'relief of the disabled and unemployable' is specified in state list of the Seventh Schedule of the constitution.

Legislations for Disabled:

Right of Persons with Disabilities Act 2016

- The Act replaces the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
- "Person with disability" means a person with long term physical, mental, intellectual or sensory impairments which, in interaction with barriers, hinders his full and effective participation in society equally with others.
- "Person with benchmark disability" means a person with not less than 40% of a specified disability where specified disability has not been defined in measurable terms and includes a person with a disability where specified disability has been defined in measurable terms, as certified by the certifying authority. Disability has been defined based on an evolving and dynamic concept.
- Principles stated to be implemented for empowerment of persons with disabilities (PWD) are respect for the inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons. The principle reflects a paradigm shift in thinking about disability from a social welfare concern to a human rights issue.

- The types of disabilities have been increased from 7 to 21. The act added mental illness, autism, spectrum disorder, cerebral palsy, muscular dystrophy, chronic neurological conditions, speech and language disability, thalassemia, hemophilia, sickle cell disease, multiple disabilities including deaf blindness, acid attack victims and Parkinson's disease which were largely ignored in earlier act. In addition, the Government has been authorized to notify any other category of specified disability.



- It increases the quantum of reservation for people suffering from disabilities from 3% to 4% in government jobs and from 3% to 5% in higher education institutes.
- Every child with benchmark disability between the age group of 6 and 18 years shall have the right to free education. Government funded educational institutions as well as the government recognized institutions will have to provide inclusive education.
- Stress has been given to ensure accessibility in public buildings in a prescribed time frame along with Accessible India Campaign.
- The Chief Commissioner for Persons with Disabilities and the State Commissioners will act as regulatory bodies and Grievance Redressal agencies, monitoring implementation of the Act.
- A separate National and State Fund be created to provide financial support to persons with disabilities.
- The Bill provides for grant of guardianship by District Court under which there will be joint decision making between the guardian and the persons with disabilities.
- The Chief Commissioner for Persons with Disabilities and the State Commissioners will act as regulatory bodies and Grievance Redressal agencies and also monitor implementation of the Act.
- The Bill provides for penalties for offences committed against persons with disabilities and also violation of the provisions of the new law.

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- Special Courts will be designated in each district to handle cases concerning violation of rights of PwDs.
- The New Act will bring our law in line with the United National Convention on the Rights of Persons with Disabilities (UNCRPD), to which India is a signatory.

Programmes/Initiatives for Disabled in India:

- Accessible India Campaign:
- Creation of Accessible Environment for PwDs:

A nation-wide flagship campaign for achieving universal accessibility that will enable persons with disabilities to gain access for equal opportunity and live independently and participate fully in all aspects of life in an inclusive society.

The campaign targets at enhancing the accessibility of built environment, transport system and Information & communication ecosystem.

DeenDayal Disabled Rehabilitation Scheme: Under the scheme financial assistance is provided to NGOs for providing various services to Persons with Disabilities, like special schools, vocational training centers, community-based rehabilitation, pre-school and early intervention etc.

Assistance to Disabled Persons for Purchase / fitting of Aids and Appliances (ADIP): The Scheme aims at helping the disabled persons by bringing suitable, durable, scientifically-manufactured, modern, standard aids and appliances within their reach.

National Fellowship for Students with Disabilities (RGMF)

- The scheme aims to increase opportunities to students with disabilities for pursuing higher education.
- Under the Scheme, 200 Fellowships per year are granted to students with disability.

Schemes of the National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities.

Issues and Challenges:

Health:

A large number of disabilities are preventable, including those arising from medical issues during birth, maternal conditions, malnutrition, as well as accidents and injuries. However, the health sector especially in rural India has failed to react proactively to disability.

Further there are lack of affordable access to proper health care, aids and appliances. Healthcare facilities and poorly trained health-workers in rehabilitation centres is another concern.

Education:

The education system is not inclusive. Inclusion of children with mild to moderate disabilities in regular schools has remained a major challenge. There are various issues such as availability special schools, access to schools, trained teachers, and availability of educational materials for the disabled. Further, reservations for the disabled in higher educational institutions has not been fulfilled in many instances

Employment:

Even though many disabled adults are capable of productive work, disabled adults have far lower employment rates than the general population. The situation is even worse in the private sector, where much less disabled are employed

Accessibility: Physical accessibility in buildings, transportation, access to services etc still remain a major challenge.

Negative attitudes held by the families of the disabled, and often the disabled themselves, hinder disabled persons from taking an active part in the family, community or workforce. Differently-abled people face discrimination in everyday life. People suffering from mental illness or mental retardation face the worst stigma and are subject to severe social exclusion.

The major issues with collection of data and measuring disability:

- Difficult to define disability
- Coverage: Different purposes require different disability data
- Reluctance in reporting disability as disability is considered to be a stigma in many places/societies

Poor implementation of policies and schemes hinders the inclusion of disabled persons. Though various acts and schemes have been laid down with an aim to empower the disabled, their enforcement face many challenges.

Prevention/Solutions of the Disabled:

Preventive health programs need to be strengthened and all children need to be screened at a young age. Kerala has already started an early prevention programme. Comprehensive Newborn Screening (CNS) programme seeks early identification of deficits in infants and reduce the state's burden of disability.

Awareness:

People with disabilities need to be better integrated into society by overcoming stigma. There should be awareness campaigns to educate and aware people about different kinds of disability. Success stories of people with disabilities can be showcased to inculcate positive attitude among people

Employment:

Disabled adults need to be empowered with employable skills. The private sector needs to be encouraged to employ them. Better measurement: The scale of disability in India needs to be better understood by improving the measurement of disability.

Education:

State-wise strategies on education for children with special needs need to be devised. There should be proper teacher training to address the needs of differently-abled children and facilitate their inclusion in regular schools.

Further there should be more special schools and ensure educational material for differently-abled children

Access:

Safety measures like road safety, safety in residential areas, public transport system etc., should be taken up. Further, it should be made legally binding to make buildings disabled-friendly

Policy Interventions:

More budgetary allocation for welfare of the disabled. There should be a disability budgeting on line of gender budget. Proper implementation of schemes should be ensured. There should be proper monitoring mechanisms and accountability of public funds.

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