



CHALLENGES FACED BY DISABLED ENTREPRENEURS AND THEIR CONSTITUTIONAL FRAMEWORK

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Abstract

An entrepreneur is one of the important segments of economic growth. India has witnessed high economic growth rates in the past two decades and there has been a remarkable increase in the per capita income. Many initiatives are undertaken to improve like India by the crippled entrepreneurs. Unfortunately many section of the Indian population still remain economically deprived. Through crippled persons constitute a small part of the Indian Population, only few crippled are grown relative numbers. Those few take up their life by starting up business like home based business and they are arise as disabled entrepreneurs. But they lake behind in terms of education and employment which results in poverty. As an equitable distribution of wealth and prosperity is necessary for all the sections of population, which is also necessary for the inclusive economic growth. This paper highlights the challenges faced by the disabled entrepreneurs and helps them by providing information about their constitutional framework. The paper tries to find out the difference between normal entrepreneurs and disabled entrepreneurs also. The Tamil Nadu Government has to takes more concentration on disabled entrepreneurs and create new 'Disabled Training Institute' for the particular persons to improve their self. That the training Institute can be combined with Non-Government Organizations and help for the empowerment of disabled entrepreneurs various types of challenges. Finally the valuable steps to overcome the various challenges being faced by disabled entrepreneurs.

Keywords: Disabled Entrepreneurship, constitutional framework, Home based- business,

*Disabled Training Institute, Challenges.***Introduction**

The disabled population is one of the excluded sections of the society and they also face a number of problems in their daily life. Persons with disability in India face many challenges face to develop employable skills and in gaining meaningful employment in conditions of decent work. Whilst India has ratified the United Nations Convention on the Rights of People with disability (UNCRPD), persons with disability continue to face many difficulties in the disabled entrepreneurs. In this context, this study aims to understand the challenges facing persons and constitutional framework with disability in the Indian disabled entrepreneurs. In order to bring them into the mainstream, both the central as well as the state government are introducing many welfare measures and schemes. Disabled people are the people with physical or mental incapacities, Disability generally varies in severity.

Disabilities population in India

A- Disability in India – According to census 2011, around 2.2% of over population suffer from some form of disability. There are 14.9 million men with disabilities as compared to 11.8 million women in the country. According to 2011 Census there are 26810557 persons affected by various disabilities which is 2.21% in the total population and it is 22.4% (4903788) of absolute increase from 2001 Census. Majority 69% (18631921 disabled persons) of disabled are residing in rural areas of India and the remaining 31% (8178636 disabled persons) are living urban areas. The Male and Female distribution are 55.90% and 44.10% respectively. Majority 80.91% of disabilities are spread in Uttar Pradesh (4157514), Maharashtra (2963392), Bihar (2331009), Andhra Pradesh (2266607), West Bengal (2017406), Rajasthan (1563694), Madhya Pradesh (1551931), Karnataka (1324205), Odisha (1244402), Tamil Nadu (1179963) and Gujarat (1092302). The following table shows that the population distribution of different forms disability in India and Tamil Nadu:

Disabled Population by type of Disability in India (As Per 2011 Census)			
Type of Disability	Persons	Males	Females
Total	26810557	14986202	11824355
In Seeing	5032463	2638516	2393947
In Hearing	5071007	2677544	2393463
In Speech	1998535	1122896	875639
In Movement	5436604	3370374	2066230
Mental Retardation	1505624	870708	634916

Mental Illness	722826	415732	307094
Any Other	4927011	2727828	2199183
Multiple Disability	2116487	1162604	953883

(Source: C-Series, Table C-20, Census India 2011)

Definition of disabilities

The definition of disability as provided by UN convention on rights of persons with disabilities (UNCRPD) states that “Persons with disabilities include those who have long term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others”.

Constitutional framework for disabled population

The constitution of India applies uniformly to every legal citizen of India, disabled person are (physically or mentally). Under the constitution the disabled have been graduated the following fundamental rights:

The constitution secures to the citizens including the disabled, a right of justice, liberty of thought, expression, belief, faith and worship, equality of status and of opportunity and for the promotion of fraternity.

Article 15(1) enjoys on the government not to discriminate against any citizen of India (including disabled) on the ground of religion, race, caste, sex or place of birth.

Article 15(2) States that no citizen (including the disabled) shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

Article 13 (1) – Enjoins on the government not to discriminate again any citizen of India (including disabled) on the ground of religion, race, caste, sex or place of birth.

Article 17 of the constitution- no person including the disabled irrespective of his belonging can be treated as an untouchable. It would be and offence punishable in accordance with law as provided by article.

Article 21- Every person including the disabled has his life and liberty guaranteed.

Article 23- There can be no trafficking in human beings and other forms of forced labour is prohibited and the same is made punishable in accordance with law.

Article 24 prohibits employment of children (including the disabled) below the age of 14 years to work in any factory or mine or to be engaged in any other hazardous employment. Even a private contractor acting for the government cannot engage children below 14 years of age in such employment.

Article 25 guarantees to every citizen (including the disabled) the right to freedom of religion. Every disabled person (like the non disabled) has the freedom of conscience to practice and propagate his religion subject to proper order, morality and health

Article 32- every disabled person can move to the Supreme Court of India to enforce his fundamental rights and the rights to move the Supreme Court.

Article 29(2) disabled and the education laws, **Article 47** disabled and the health laws, disabled and the family laws, disabled and the succession laws, disabled and the labor laws, disabled and the income tax concessions(Section-80DD, Section-80V, Section-88B)

Equal opportunities protection of rights and full participation Act 1995 main provision of this act- prevention and early detection of disabilities, Education, Employment, Affirmative action, Non discrimination, Research and manpower development, Social security, Grievance Redressal.

Challenges faced by disabled population in India



Inaccessibility- Most of the government buildings or private offices and other infrastructure are inaccessible for disabling population.

Low Representation- The Disabled person has a very low representative in fields like government jobs, politics, economy etc.

Barriers to Health Care- The lack of appropriate services for people with disabilities is a significant barrier to health care. Affordability of health service and transportation are two main reasons why people with disabilities do not receive needed health care.

The Education System is Still not Inclusive- School buildings are not accessible. Teachers are not well trained to help such students. Even the curriculum does not take care of the disabled person.

Attitudinal Barriers- Attitudinal barriers which help in stigmatization and discrimination, deny people with disabilities their dignity and potential and are one of the greatest obstacles to achieving equality of opportunity and social integration.

Inaccessible communication systems prevent access to information and knowledge and opportunities to participate. Lack of services or problems with service delivery also restricts the participation of people with disabilities.

Institutional Barriers- Institutional barriers include many laws, policies, strategies or practices that discriminate against people with disabilities. Discrimination may not be intended but systems can indirectly exclude people with disabilities by not taking their needs into account.

Inadequate Data & Statistics- The lack of rigorous and comparable Data and statics, combined with a lack of evidence on a programme that works, lack of planning, often delay in understanding and actions on disability inclusion.

Poor Implementation- Poor implementing policies and plans can prevent the inclusion of people with disabilities.

In addition to facing the general challenges to business startup that all entrepreneurs face, entrepreneurs with disabilities are likely to face specific barriers to entering and sustaining entrepreneurship activities. Some of these barriers, arguably, are very deep-rooted social-structural constraints that impose severe limits on life chances for certain groups of disabled people. These barriers include:

Lack of confidence and limited aspirations – people with disabilities may have difficulty identifying a business opportunity, developing this business idea and engaging with the available support infrastructure in a meaningful way, which contributes to low levels of confidence related to business start-up (Enabled4Enterprise, 2008; EMDA, 2009). This is further compounded by the unsupportive role of family and friends who often discourage start-up. This challenge is especially relevant for those with mental health challenges.

The benefits trap – surveys indicate that there is often a fear of losing the security of regular benefit income when other income is generated (Boylan and Burchardt, 2002; Doyel, 2002; EMDA, 2009). Awareness of eligibility for benefits is incomplete among the population of people with disabilities and contributes to perceptions of self-employment as ‘risky’.

Lack of relevant business knowledge and skills – people with disabilities often lack specialist business management, legal and financial skills and knowledge due to limited relevant education and employment

experience (Enabled Enterprise, 2008). • Access to start-up capital – people with disabilities often experience difficulties financing new start-ups due to limited personal financial resources (savings, home ownership), which, in turn, are partly due to poor education and the concentration of disabled employees in low-paid occupations; poor credit rating after long-term benefit receipt; disinterest/ discrimination on the part of banks; lack of accessible information on sources of grants and loans (Boylan and Burchardt, 2002; EMDA, 2009).

Consumer discrimination – self-employment can be deterred by customer discrimination, reducing the demand for goods and services produced, as well as the rewards to self-employment (Boylan and Burchardt, 2002; Jones and Latreille, 2011).

Increased labour costs – some entrepreneurs with disabilities need to hire assistants to help them undertake tasks that many people without disabilities may be able to do on their own (e.g. moving merchandise, inputting data into computer software), which increases their labour costs and puts them at a competitive disadvantage (Roni, 2009).

Lack of appropriate business support services – this barrier has a number of dimensions due to the individual nature that disabilities have (Boylan and Burchardt, 2002; Doyel, 2002; Pavey, 2006; Enabled4Enterprise, 2008; EMDA, 2009).

Financial Support There are many ways in which entrepreneurs living with disabilities can gain financial support. According to Greve (2009) financial support might take the form of grants, loans, subsidised loans or loan guarantees to credit providers, tax credits, and exemption from business registration fees. Kitching (2014) is of the view that financing might be tied to purchasing specific equipment, skills training or attendance at events such as trade fairs or exhibitions (e.g. 12 Spain 2012) or to the development and application of assistive technologies (ATs). Cupido (2002) points out that most applicants do not know what is expected of them when making application to financial institutions for assistance and the Department of Trade and Industry has a business referral and information network website to assist entrepreneurs in this area. The institutions that have been outsourced to act on behalf of the Department of Trade and Industry are:

- Khethani Business Finance (Khula RFI).
- Landelike Onwikkelings Maatskappy.
- Nations Trust (Khula RFI).
- New Business Finance

Disabled business advisers are often reluctant to recommend self-employment as a career option for disabled people and sometimes actively attempt to dissuade them. Such views might be a consequence of

advisers' inadequate or stereotypical understandings of the activity restrictions arising from specific conditions and/or misperceptions of support recipients' capabilities as well as a genuine regard for the risks disabled people face in starting and running businesses.

That the people crucially, training is not always tailored to individual needs and therefore of limited value to particular programme recipients. For some, support might need to be provided over an extended period of time for recipients with recurring conditions or particular stresses. There is a perception among some support recipients that funders face pressures to move quickly onto the next case rather than provide longer-term support to those assisted (a 'tick-box culture'). Support services may not be available in particular formats (e.g. Braille), which makes the support service inaccessible for certain segments of the population of people with disabilities. This likely will also impact the awareness level of available supports. Premises where support is provided may not be accessible for individuals with conditions and impairments that impact their mobility. Moreover, this barrier can be increased by challenges related to transport to and from support centres for those with mobility challenges. Programmes may use language that is off putting to people with disabilities. For example, entrepreneurs who experience disability often have lower growth aspirations and may not identify with terms such as 'entrepreneur' because they do not see themselves as exploiting an opportunity or being innovative. That the diversity of impairment and disability means that some disabled entrepreneurs might not perceive themselves as 'disabled' and prefer to be supported under mainstream, rather than disability-specific, services. There is evidence that particular groups of disabled people face multiple sources of disadvantage in European labour markets (Greve, 2009).

Conclusion

The purpose of this study was to investigate the challenges faced by the disabled entrepreneurs and helps them by providing information about their constitutional framework confronted by entrepreneurs living with physical disabilities in India there is a limited evidence base that supports the development of targeted training and support that is tailored to the needs and challenges of entrepreneurs and potential entrepreneurs with various disabilities. Finally, governments should be doing more to ensure that all public websites are accessible and basic constitutional framework. With the Internet becoming the primary way in which governments and citizens interact, much more can be done to improve the accessibility of disability challenges services such as business registration, tax filing and business information resources.

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