



Empowering Differently-Abled persons in India: Addressing Challenges and Providing Solutions to strengthen their rights

Aasim Rashid

Ph.D Research Scholar, Department of Law, University of Kashmir.

Dr. Syed Asima Refayi

Senior Assistant Professor, Department of Law, University of Kashmir.

ABSTRACT

Disability is an important and pressing issue not only in India but all throughout the world. This paper aims to shed light on the reality faced by differently Abled persons in Indian society, who face numerous challenges and variety of obstacles throughout their life. Despite legal protections, these laws are frequently not effectively implemented, leaving them deprived of their rights. This paper endeavors to outline the problems faced by differently Abled persons and examine the existing disability laws that are designed to protect their rights and promoting their progress. In India the increasing number of person with disabilities has become a prominent concern in recent times. The condition of people with disabilities appears to be very disappointing. Disabilities can arise from birth or as a result of accidents, leaving those affected to struggle for survival. Such persons often experience a loss of courage confidence and mental strength, which results in to live a forced life with misery and sympathy. The below questions will examine the essence of their condition.

Am I a normal person just like other persons? What will define me? Will I be determined by my name and personality or by my physical disability? These questions depict the challenging circumstances faced by disabled persons, prompting us to consider actions to improve their lives and uplift them towards a brighter future.

Keywords: Differently Abled persons, Inequality and discrimination, Empowerment and solutions, PWD Act, 1995 and RPWD Act, 2016.

1. Introduction

This research paper highlights the challenges or the problems faced by people with disabilities in India, emphasizing the seriousness and reality of their situation. Despite the fundamental rights guaranteed by the Constitution of India and the Persons with Disabilities Act of 1995, which was aimed to grant them with equal opportunities, protection of their rights, and full participation, they continue to be remaining marginalized. Even though the PWD Act 1995 was replaced by the government of India by passing the Rights of Persons with Disabilities Act in 2016,¹ ensuring the rights of differently Abled persons, it is still difficult to protect their rights, because due to the lack of implementation by the administration. Even after decades of the independence of India, the condition of differently Abled persons has not improved. They are denied their rights and are facing numerous challenges in their daily life. Their disabilities not only prevent them from taking various opportunities, but also weaken their mental strength and will to survive and succeed. In addition to outlining their problems the researcher has suggested some effective solutions to empower the disabled persons, aiming to convert their miserable existence into joy and happiness. Many people consider disability as a curse, but it is very important to change this perception. By empowering and protecting their rights, ensuring equal opportunities, and full participation in all spheres of the life, society can shift this perception, by seeing disability as a potential source of strength rather than a hindrance.

2. Who are the persons with disabilities?

The Persons with Disabilities, means those persons affected by any kind of disabilities as stipulated by the Persons with Disabilities Act of 1995 and government medical authorities. Understanding the nature of disability it is very important, because it might arise from any unlucky incident in a person's life. The term "disability" encompasses seven conditions including blindness, low vision, leprosy-cured, hearing impairment, locomotor disability, mental illness, and mental retardation as defined by the PWD Act of 1995.² However, under the Rights of PWD Act of 2016, the scope of disabilities has been increased from seven to twenty-one categories.³

Persons with Disabilities in India are prevalent on a large scale. However, the laws and schemes put in place for their benefit are often not uniformly implemented across various government administrations. As per the Persons with Disabilities Act of 1995, a Person with Disability is described as "persons suffering from not less than forty per cent of any disability as certified by a medical authority".⁴ The definition is also defined in the

¹ https://Journals.Lww.Com/Ijpmr/Fulltext/2024/34030/Legislation,_Acts_And_Policies_For_Persons_With.1.aspx?Context=Lat estarticles.

² Awadhesh Kumar Singh, "Rights Of The Disabled Perspective", (Legal Protection And Issues), Page No. 12, Serials Publication New Delhi 2008.

³ Dolly Singh "Handbook Of Rights Of Persons With Disabilities Act 2016", Page No 9, Kanishka Publishers, Distributors, (2020).

⁴ Section 2 (U) Of The Persons With Disabilities (Equal Opportunities, Protection Of Rights And Full Participation) Act Of 1995.

Rights of Persons with Disabilities Act of 2016, where a 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.⁵

3. The challenges faced by the people with disabilities in India

India, a developing country known for its large population, is characterized by its democratic structure accommodating various languages and religions across different regions. Despite these diverse characteristics, little progress has been made in improving the lives of disabled persons. They continue to face many problems in spite of laws aimed to protect them, if we have to understand the disabled persons we must first try to understand what kind of problems they do face due to their disabilities in their day to day life. The problem is made worse by India's vast socioeconomic diversity, particularly for disabled persons from low-income families who often find themselves marginalized from employment, educational opportunities and government assistance programs or schemes. They are often forced to work at low-grade jobs or render them dependent on their families support due to poverty, resulting in a sense of hopeless and purposeless. Given the severity and reality of their struggles, we must work together to empower them towards dignified and better life. In order to ensure economic, social equality, and justice, some constitutional protections for the physically and mentally challenged must also be included. The researcher has discovered that such provisions, which are in fact part of the constitution are spread in various ways. We can get a sense of the concern that the Indian constitution's framers were aware for the needs of people with disabilities and the weaker segments of society by taking a quick look at some of its provisions. They have showed their concern for these issues ever since the Republic of India was established.

Some of these provisions are listed below, that could and can be used to improve the lives of the disabled persons.

1. The Preamble of the constitution of India states, We, the people of India, having solemnly resolved to secure Justice, social, economic and political, Equality of status and opportunity and fraternity assuring the dignity of the individual enact and give to ourselves this Constitution.⁶
2. Art.14 of the constitution states "The State shall not deny to any person equality before the law or the equal protection of laws within the territory of India".⁷

⁵Section 2 (S) The Rights Of Persons With Disabilities Act, 2016

⁶Dr Durga Das Basu, "Introduction To The Constitution Of India" ,P. No. 21,Editorial Board,20th Edition (2012)

⁷V.N. Shukla's, "Constitution Of India", P. No. 47,Ebc Publishing (P) Ltd., 34-A, Lalbagh, Luckhnow-22601, Twelfth Edition (2016)

3. Art.15 of the constitution states “Nothing in this article shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens”⁸.

4. Art.16 of the constitution “Nothing in this Article shall prevent the Parliament from making any provision for the reservation of appointments or posts in favor of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State”.⁹

5. Art.21 of the constitution “No person shall be deprived of his life or personal liberty except according to procedure established by law”.¹⁰

Although the fundamental rights continue to address the socially, economically, and educationally disadvantaged or weaker segments of society, even though they do not specifically address physically challenged or disabled people. Demolishing the wall that separates or differentiates a physically challenged from a normal person is the State's responsibility in order to implement the equal status and equal opportunity principles. All rights, protections, and benefits should have access to those with disabilities as well.

The dignity of the individual is the dignity of the nation. The Indian Constitution's Preamble recognizes and guarantees the protection of every citizen's fundamental rights, which are necessary for their existence, their overall personal growth, and their right to a dignified life, including equality and freedom. According to Article 21 of the Constitution of India, No person shall be deprived of his or her life and personal liberty except in accordance with the procedure laid down by law.¹¹ This idea holds that everyone is entitled to a dignified life. A life of respect and social acceptance is referred to as a dignified existence. It also covers things like employment opportunities, educational facilities, health benefits, accessibility, and affordability etc.

The Indian Constitution's Article 41 is the only place the term "disability" appears. It is a circumstance in which an individual loses the ability to use any portion of their body, etc., as a result of an accident or injury. The Indian Constitution's Article 41 is the only place where the term "disability" is found. It is a situation in which a person loses the ability to use any body part etc. as a result of an injury or accident. The Supreme Court held in its interpretation that the courts should read the legislation in a way that advances the economic and social goals of Article 41, even though it does not grant an enforceable right.

Article 41 of the Constitution of India states that, “The State is directed to assure people in cases of unemployment, old age, sickness and disability and in other cases of undeserved want within the limits of their economic capacity and development in terms of employment, education and public

⁸P.M. Bakshi, “The Constitution Of India”, Page No 31, Universal Law Publication Co., New Delhi India ,12th Edition (2013)

⁹Dr. Kailash Rai, “Constitutional Law Of India”, Page No.180, Central Law Publication, Eleventh Edition (2017).

¹⁰M P Jain, “Indian Constitutional Law”, Page No. 1159, Lexis Nexis, Eighth Edition (2023).

¹¹Ibid.

assistance”.¹² However, many of these basic concepts are unavailable to a person with a physical disability. The majority of people with disabilities lead miserable lives, but very few of them live with dignity. In addition, disabled persons in India continue to suffer number of problems, including the following:

3.1 Cruel or ill-treatment

How society distinguishes between those with disabilities and regular people. For what grounds are they different from one other? It revolves on the physical distinctions between them. The physical constraints that disabled people face set them apart from what is deemed "normal." Despite of these disabilities, they frequently face cruel treatment in different places. Actually, the others show only the temporary sympathy for the people with disabilities, but little is done to actually improve their condition. In government offices such as the Social Welfare Department, post offices, Government Banks, and similar places, they face particularly harsh treatment when they go to avail to the benefits from schemes enacted for their well-being. Government officials do not cooperate with them and often communicate rudely. This observable reality is evident in most of the government offices. Persons with disabilities are not guided or assisted correctly, leading them to revisit the same office frequently. It gives them the experience that people can abuse them inhumanely and that their lives are unimportant. Even they face number of difficulties for obtaining medical certificates from the healthcare authorities. They also receive a poor treatment there and are instructed to return repeatedly, but because of their conditions this is not possible for them and becomes an exhaustive process for them. Disabled persons are compelled and are also demanded to pay for the completion of their tasks in government offices. They become helpless and lose confidence due to this cruel treatment. Therefore, it is necessary to treat disabled persons with the same level of respect and dignity as are treated the normal persons.

Even those disabled persons who have good educational qualification apply for jobs face discrimination and are denied opportunities despite special reservations made by the government or Supreme Court of India. This denial of opportunity deprives them of the chance to empower themselves and be independent like others. Already burdened by their disabilities, they also have to deal with the inhumane treatment from both society and the government. If this cruel and inhuman treatment remains going on, it could lead to very bad consequences for disabled persons. They may feel compelled to end their lives as they will experience this ongoing mistreatment from the government and society, where they strive to live with dignity and their lives may never improve.

3.2 Struggling for identity

In the world, one's identity is what differentiates them from others. The man may move in the society with respect and dignity because of his identity. However, disabled people frequently face a significant struggle in establishing their identity. Their disability becomes the only defining characteristic that defines them... In

¹²Dr. Kailash Rai, "Constitutional Law Of India", Page No.104, Central Law Publication, Eleventh Edition (2017).

today's technologically advanced and globalized world, they face number of challenges at every stage. Whether disabled from birth or due to some accident, their life's journey appears pathetic. The attitudinal behavior of the society towards them and the hardships which they face in their daily life can never be understood by those who are without disabilities. Even the few highly educated disabled persons find themselves struggling and fighting against the odds manage to secure the kind of employment they want despite their condition. Instead of being recognized for their intellectual or skills, they receive little attention and are met with mere sympathy. They don't need sympathy from the society what they need is the empathy, that people should understand of which kind of problems they are going through in their life. Furthermore, people with disabilities remain unaware of government policies, laws and supportive schemes, which further make their condition worse. Thus, the loss of identity has become a very severe issue in today's society.

3.4 Poverty and illiteracy

In India, particularly in rural areas, there is a strong link between disability, illiteracy and poverty for the vast majority of the population. Disability and illiteracy aggravate poverty, leading to more vulnerability and social exclusion for these people in the society. The primary factors influencing the level of disability and the integration of disabled persons into society include health, education, employment and standard of living.¹³ Additionally, persistent social stigmas contribute to further hindrances in the inclusion of people with disabilities. As per The National Statistical Office the highest frequency of disability in the nation was among men living in rural areas. Among these disabilities, the most prevalent disability among men was locomotor disability, which primarily affects the bones, muscles, or joints, resulting in restricted mobility in the body's limbs.

Another major issue that the disabled people in India are dealing with is illiteracy. Persons with disabilities who come from extremely poor families frequently struggle because they are not highly educated. Even though the government of India has created number of educational facilities for disabled people, these facilities are not offered to them or they themselves are unaware of these facilities or educational opportunities. They are incapable of going to schools and will always remain uneducated because of poverty and disability. Illiteracy limits the job options, making it difficult for them to obtain suitable jobs to sustain themselves. Which means they always remain struggling to buy bread and butter. Very small number of well-educated disabled persons are able to find employment opportunities. However, a significant percentage of disabled persons in India remain illiterate. According to conservative estimates taken from the census of India 2001, 1.8 to 2.1 per cent of the population suffers from some sort of disability, which in absolute numbers equates to around 18.49 to 21.92 million persons.¹⁴ In India, 45% of people with disabilities are illiterate, compared to 26%

¹³V.V. Krishna, B.S.V. Dutt, Et.Al (Eds) Disabled Abled Persons, Discovery Publishing House New Delhi 2001

¹⁴Rennu Addlakha (Ed), Disability Studies In India P.No 8, Routledge, London New York (2013)

of the general population, according to 2011 Census data.¹⁵ On education front in 2011 approximately 45% of the disabled population remains illiterate, 55% of the population who has acquired various education from elementary to secondary and just 8.5% of the population are graduates.¹⁶

3.5 Public attitude

A huge portion of the public has negative or unfavorable perceptions towards the disabled persons. Disabled persons frequently face isolation, left by their families and they live in one of the poorest segments of the society. This can be linked with deep-rooted cultural and social stigmas, the unawareness regarding the rights of those with disabilities, as well as lack of support and assistance from the government. Raising public awareness of disabilities and ensuring that people with disabilities have access to healthcare and education are urgent priorities in India. For example, many mainstream or regular schools lack essential resources like learning aids and trained teachers to support disabled students.¹⁷ Some people do not have any justification for their anger towards the person with disabilities. They do not wish to work together anymore, so they try to complicate their lives as much as they can. These people undermine the confidence of persons with disabilities by making them feel that like they can never be the part the organization. Many organizations do not want to hire persons with disabilities due to negative stereotypes about them, and if they do, they closely monitor them. They constantly wait when they would do something wrong and face harsh consequences. The way that organization leader's attitudes towards persons with disabilities could have lifelong negative effects. Taking care of persons with disabilities and showing them how to maximize their comfort at work is a wonderful thing. Employers and fellow employees must understand the problems of people with disabilities and take the strategic steps to improve or boost them, rather than lower their morale.

3.6 Inequality and discrimination

Even though the disabled persons in India are granted basic fundamental rights under the constitution, they still face discrimination in many spheres. They are denied their rights and are often not treated equally. Their lives become more depressing and difficult as a result of such inequality and prejudice in different places like government offices, government schemes, and employment opportunities etc. If they are not discriminated, and will be granted equal opportunities they could access the benefits made for them and they might improve their quality of life. However, in India, people with disabilities are marginalized across all sectors due to inequality and discrimination. The principle of equality mandates that likes be treated equally and presumes the unbiased enforcement of legal and social rights. Neutrality in the application of the law and the absence of

¹⁵<https://www.hindustantimes.com/editorials/why-thousands-of-disabled-children-are-dropping-out-of-our-schools/story-Ri2xardlwafcsuayv4mq7o.html>

¹⁶Anurag Singh, "Sociological Study Of Disability And The Digital Divide Among Youth With Disability In India" The Voice Of Creative Research, Vol.6, 3 July 2024

¹⁷<https://www.enableme.ke/en/article/7-challenges-faced-by-persons-with-disabilities-working-an-office-job-1518>

different treatment levels are presumed to result in equality. This approach to equality is primarily grounded in rationality and is especially linked to constitutional guarantees.¹⁸

3.7 Unemployment

One of the biggest challenges faced by the disabled persons in India is unemployment. Due to the lack of employment, a large number of well-educated disabled persons in India strive to find opportunities and are unable to secure their future.¹⁹ Employment is important for enhancing their quality of life. The PWD Act of 1995 includes reference for special reservations aimed at addressing this problem

“Reservation of Posts- Every appropriate Government shall appoint in every establishment such percentage of vacancies not less than three per cent for the persons or class of persons with disability of which one per cent. Each shall be reserved for persons suffering from-

1. Blindness or low vision
2. Hearing impairment
3. Locomotor disability or cerebral palsy.²⁰

Even though there is a three percent reservation quota for disabled persons, it frequently remains unfilled. Nowadays, in most of the educational institutions, positions reserved for disabled candidates are filled by persons from different castes. The Honorable High Court and Supreme Court have issued orders to replace the gap left by disabled people in a number of government and non-government sectors. On 28th June, 2021, the Supreme Court passed a ruling affirming the right to reservation in promotions in *State of Kerala v. Leesamma Joseph*. The two-judge Bench of Justice Subhash Reddy and Justice Sanjay Kishan Kaul interpreted the provisions of the PWD Act 1995 and RPWD Act 2016 relevant to rights of persons with impairments.²¹ Actual employment rates among PwDs are often low notably in private sectors since this group is not given any encouragement to work there. Furthermore, many organizations still fail to provide access points in the form of physical structures or support services as required by law, making physical access a major obstacle.²² However, despite being qualified and entitled to reservation, they are not being provided with job opportunities. Securing employment is important for advancing and improving the lives of disabled persons and also enabling them to progress. With employment, they can enhance and improve their position and gain

¹⁸Jayna Kothari “The Future Of Disability Law In India” ,Oxford University Press,2012

¹⁹V.V. Krishna, B.S.V. Dutt, Et.Al (Eds) Disabled Abled Persons, Discovery Publishing House New Delhi 2001

²⁰See Section 33 Of The Persons With Disabilities (Equal Opportunities, Protection Of Rights And Full Participation) Act Of 1995.

²¹<https://www.scobserver.in/journal/do-persons-with-disabilities-have-the-right-to-reservation-in-promotion/>

²²Mohammad Intesar Alam And Soni Kumari, “Comprehensive Overview Of Disability-Related Policies And Laws In India: A Narrative Review” ,Sajss,Vol.5, (2024).

social standing. A good employment can provide them with relief from their disabilities. Hence, job holds too much importance for them. But unfortunately, they are deliberately kept out of the job opportunities, so nothing changes about their condition.

The government has initiated number of loan schemes for the persons with disabilities, yet they frequently struggle and fight to access these benefits, because no one provides them with accurate information about them. When some disabled person attempt to apply for loans, they face rude treatment from officials and offices, increasing their frustration. These persons are often misguided and face significant delays and they do not receive the loans of which they are in need. Actually, the purpose of these loans is to help disabled people to initiate businesses, improve their economic status and raise their standard of living. But this process often leaves them feeling disheartened. In addition to these challenges highlighted above, disabled people face number of other difficulties that have worsened their standard of living. Their disabilities, coupled with governmental indifference and societal neglect, prevent them from experiencing happiness as do the other persons experience in the society.

4. Solutions for strengthen their rights

To enable the empowerment of the people with disabilities, it is essential to implement the effective measures, which are meant to support their rights. Strengthening their rights would mitigate their problems to a considerable degree. It will be important to examine the nature of two Acts pertaining to Persons with Disabilities (PWD) passed by the parliament as an effective measure to empower them. These acts are as follows:

4.1 The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act of 1995.

It was specifically passed for disabled population of India after an examination of similar laws in other Asian countries. Those with disabilities receive more respect and dignity in other countries than India. The Persons with Disabilities Act of 1995 comprises fourteen chapters and seventy-four sections. Chapters five and six focus on education and the employment opportunities for people with disabilities. Although there are strong provisions for disabled people sections 26 and 27 addresses education while as section 32 to 41 covers employment, due to the lack of education or illiteracy many disabled persons are unaware of this statute. The government administration did not strictly enforce this law. It was the sole legislation in India that empowered persons with disabilities in understanding them of their rights. Implementation of this statute effectively could have served a significant solution. The proper implementation of this Act might have provided the solutions to those challenges or issues mentioned above. If this Act was enforced strictly, persons with disabilities could have gained the opportunities for empowerment. They could have enhanced their standard of living and have experienced greater happiness.

This Act was to some extent effective, yet it remains a tragedy for the people with disabilities because they can

never take advantage of those benefits mentioned in this statute Therefore, the implementation of such Acts is necessary to elevate their standing in society.

4.2 THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016

The process of replacing the Persons with Disabilities Act, 1995 (PWD Act, 1995) to bring it into compliance with the UNCRPD standards began in 2010 after India signed and ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in 2007.²³ The Rights of PWD Act, 2016 (RPWD Act, 2016) was passed by both houses of the Parliament after a number of consultation sessions and a drafting process. On December 28, 2016, it was notified after the presidential assent.²⁴ Individual autonomy, which includes the ability to make one's own decisions, independence, and respect for one's intrinsic dignity are among the tenets listed for the empowerment of people with disabilities. This Act was passed in 2016, because this Act of 2016 is the result of the failure of PWD Act 1995. Which was not strictly enforced neither by the government agencies and nor by the citizens. In order to safeguard the rights of disabled people, a law with strict guidelines and useful provisions was urgently needed. The PWD Act of 1995's shortcomings and the continued unresolved issues that people with disabilities experience led to the passage of this new law.

This Act, which has 102 sections and 17 chapters, seems to be far more effective than the PWD Act of 1995. It contains portions that are crucial to the empowerment of people with disabilities. Sections 03 to 15 of the Act's Chapter II, which lists rights and entitlements, are quite successful at defending such rights. Education provisions are covered in Chapter III, namely in Sections 16 to 18. Chapters 14 and 15 contain provisions pertaining to national and state funds for individuals with disabilities. Interestingly, Chapter 16, "Offences and Penalties," is the most effective chapter in this Act. Section 92 of this chapter stands out prominently because it provides the following punishment for atrocities, which is as follows that whoever:

1. intentionally insults or intimidates with intent to humiliate a person with disability in any place within public view;
2. assaults or uses force to any person with disability with intent to dishonor him or outrage the modesty of a woman with disability;
3. having the actual charge or control over a person with disability voluntarily or knowingly denies food or fluids to him or her;
4. being in a position to dominate the will of a child or woman with disability and uses that position to exploit her sexually;
5. voluntarily injures, damages or interferes with the use of any limb or sense or any supporting device of a person with disability;

²³Jayna Kothari "The Future Of Disability Law In India" Oxford University Press, 2012

²⁴Dolly Singh "Handbook Of Rights Of Persons With Disabilities Act 2016", Kanishka Publishers, Distributors, 2020

6. performs, conducts or directs any medical procedure to be performed on a woman with disability which leads to or is likely to lead to termination of pregnancy without her express consent except in cases where medical procedure for termination of pregnancy is done in severe cases of disability and with the opinion of a registered medical practitioner and also with the consent of the guardian of the woman with disability, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.²⁵

This Act comprises highly effective chapters with the object of protecting the various rights of people with disabilities. Passed by the government, it holds the promise of fulfilling the needs of disabled persons. With adequate awareness and proper implementation of this Act at all levels, disabled persons might be equally treated and may get the equal opportunity to do anything without fear of exploitation or deprivation of their rights. This act provides extensive protection for people with disabilities from their families, society, and the government. Two essential aspects are required firstly, raising awareness not only to the disabled persons but also to those who are without disabilities secondly, the proper and stringent enforcement of existing laws, as well as those to be passed in the future, by the government and followed and respected by the society. If laws are properly and effectively implemented, it will lead to a shift in people's attitudes towards the disabled persons. Those who violate the rights of the disabled people and exploit them should face penalty in accordance with Section 92 of the (RPwD) Act, 2016.

The above stated problems or challenges are of that in nature which can be addressed through various laws and justice can be delivered to this section of the society. Because the ultimate object of the law is to deliver justice. It is also well known that no law in any country can eliminate the problems completely for which that law has been enacted, because there can be one or the other reason by which those laws can't give the result for which they were passed. But one thing is obvious that even if the laws are not giving the expected results, but the laws have always been important in mitigating the challenges for which they were passed. This is one aspect of the serious issue faced by the disabled persons. It is visible and can be addressed and tackled through legal means, but the other thing is completely different that is the attitudinal behavior of our society towards the people with disabilities. As the attitudinal behavior of the society is abstract in nature. It is very difficult to deal it with laws; no law can give the remedy or complete solution to this problem. It is the society itself which can make any change. So it is necessary to make people of the society aware about what kind of problems these disabled persons are facing in their day to day life. This section of the society doesn't need any sympathy from the people what they only demand is the empathy that is to understand their problems in the same way as they do experience them. Therefore, the effective solutions to empower the disabled persons, address their challenges and protect their rights, require mainly two approaches one, is to proper and effective implement of

²⁵Section 92 The Rights Of Persons With Disabilities Act, 2016

the laws and the second, is to focus on changing the negative attitudinal behavior of the society towards these people.

Conclusion

Thus, the above mentioned explanations thoroughly examine the diverse challenges faced by the people with disabilities, supported by number of references. The problems faced by people with disabilities have consistently posed significant obstacles to their progress, careers, and overall standard of living. The researcher has emphasized the serious issues experienced by persons with disabilities, including cruel and inhumane treatment, struggling for their identity, poverty and illiteracy, public attitude and more. Which are the main obstacles in their life. The researcher has also proposed the main two significant solutions that is firstly, the proper and effective implementation of laws and secondly, the changing the negative perception or the attitudinal behavior of the society towards disabled people. Which could serve as the most effective solutions for empowering the disabled persons, addressing their challenges and protection of their right.

References

1. M.P. Jain, Constitutional Law of India, Lexis Nexis (2023) .
2. Jayna Kothari, 'the Future of Disability Law in India: A Critical Analysis of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995, (2012).
3. V.N. Shukla's, Constitution of India, (2016).
4. Dr. Durga Das Basu, Introduction to the Constitution Of India (2012)
5. P.M. Bakshi, The Constitution Of India(2014).
6. Dr. Kailash Rai, Constitutional Law Of India, (2017)
7. V.V. Krishna, B.S.V. Dutt, K.H. Rao, Disabled Persons (2001).
8. Renu Addlakha, Disability Studies in India Global Discourses, Local Realities (2013)
9. Dolly Singh, Handbook Of Rights Of Persons With Disabilities Act 2016 (A Brief Description Of 21 Disabilities) 2020.
10. Awadesh Kumar Singh, "Rights of the Disabled, Perspective, Legal Protection And Issues (2008).
11. The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
12. The Rights of Persons with Disabilities Act, 2016.
13. Anurag Singh, Sociological Study Of Disability And The Digital Divide Among Youth With Disability In India (2024).
14. Mohammad Intesar Alam & Soni Kumari, "Comprehensive Overview Of Disability-Related Policies and Laws in India: A Narrative Review", (2024)
15. <https://www.scoobserver.in/journal/do-persons-with-disabilities-have-the-right-to-reservation-in-promotion/>.
16. https://journals.lww.com/ijpmr/fulltext/2024/34030/legislation,_acts_and_policies_for_persons_with.1.aspx?context=latestarticles.
17. <https://www.enableme.ke/en/article/7-challenges-faced-by-persons-with-disabilities-working-an-office-job-1518>
18. www.disabilityaffairs.gov.in.
19. www.google.com.