Challenges in Certifying Persons with Disabilities (PwD)

Why in news?

The recent controversy about an IAS officer who allegedly faked her disability certificate has ignited a debate on the reservations granted to persons with disabilities (PwDs) and the disability certification process.

Who are persons with disabilities in India?

- **PwD** – Person with disability or Divyangjan means "a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others."
- **Person with benchmark disability** – It refers to a person with *not less than 40%* of a specified disability.

As per 2011 Census, number of persons with disabilities at 2.68 crores implying 2.21% of Indian population.

- India has passed the '***Rights of Persons with Disabilities (RPwD) Act***' in 2016 to entitle them with certain specific rights.
- It was passed to fulfill India's obligations under the *United Nations Convention on the Rights of Persons with Disabilities*, which was ratified by India in 2007.
- ***21 disabilities*** are recognized under the act.

To know more about Rights of PwDs Act 2016, click here

What are the challenges by PwDs?

- They face multiple barriers to their effective participation in society and the workforce.
- **Societal rejection** – Rejection by family and community and the deep rooted ableism.
- **Inadequate Infrastructure** – Lack of infrastructure in accessing public establishments and services.
- **Educational barrier** – Insufficient education models, inappropriate exam curricula and formats to meet the needs of various PwDs.
    - As per Census, 2011, literacy rate of the total PwD population is about 55% (male – 62%, female -45%).
    - Only about 5% of PwDs are graduate and above
- **Employment barrier** – Stigma and biases at the hiring stage and promotion hinders the labour participation of PwD
    - 76th round of the National Sample Survey in 2018 found that only 23.8% of PwDs

were employed.

- **Inadequate political representation** – They are underrepresented in all three tiers of legislature.
    - *No reservation* of political seats in Lok sabha, state legislature , local bodies for person with disabilities
- **Inaccurate assessment** - Current population of Persons with Disabilities (PwDs) in the country is not counted accurately.

How are they recognised in India?

- Under the UDID project Disability Certificate and Unique Disability Identity Card is issued to each PwD through online platform by the competent medical authorities notified by the State/UT Government.
- **UDID Card** - Unique Disability Identity card (swavlamban card) is an initiative to create a National Database for PwDs.
- **Disability certification** – It is the basic document that a person with any disability of more than 40% requires in order to avail any facilities, benefits or concessions under the available schemes.
- **Legal basis** - The certificate is issued to persons with disabilities mentioned under the Rights of Persons with Disabilities Act, 2016.
- **Validity** – The certificate is valid for a period 5 years.
- **Certifying authority** – It is the respective Medical boards constituted at a State or district levels.

Reservations for PwDs
• **Aim** - To level the playing field by providing equitable opportunities to PwDs. • **Education** – 5% in all the government-run and other government-aided higher educational institutions. • The Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995, or the PwD Act, first recognised the right of the disabled person to be employed and promoted in government jobs on equal basis with others. • **Employment** – 4% in government establishments.

What are the issues in certification systems?

- India's certification system for disabilities also has significant flaws.
- **Outdated Certification system** - The practice of *quantifying disabilities by percentage is outdated* and *not supported by the UN Convention* on the Rights of Persons with Disabilities.
- Psychosocial disabilities are assessed based on the *outdated IDEAS* (Indian Disability Evaluation and Assessment Scale) scale.

Indian Disability Evaluation and Assessment Scale (IDEAS) is a scale for measuring and quantifying disability in mental disorders.

- **Duplication in assessment** – Recruiting bodies like UPSC insists on a separate and independent disability assessment.

- This gives rise to the possibility of the two sets of assessments *yielding contradictory results*.
- **Inaccessible and time consuming process** – It is due to lack of specialists to evaluate various disabilities
- **Lack of assessment resources** – District hospitals are constrained in terms of both infrastructure and resources to meet the complicated assessment guidelines prescribed by the state.
- **Rejection** – Persons with invisible, hidden, or less apparent disabilities, such as blood disorders often are rejected.

What lies ahead?

- Functional limitations, rather than medical percentages, should be the basis for assessment.
- Focus should be given to address the systematic issues.
- Increasing the infrastructural and human resource capability of state and district hospitals.
- Sensitizing the public officials about needs of persons with disabilities.
- Making the certification process more accessible.

References

1. The Hindu | Challenges in Certifying Disabled persons
2. Vikaspedia |Rights of Persons with Disabilities Act

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