



Employment Scenario of People with Disabilities in India

20 Years of The Disability Act, 1995

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Introduction

National Centre for Promotion of Employment for Disabled People (NCPEDP) has launched a campaign called 'Equality+20' to mark 20 years of the 'Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act', 1995 (hereafter referred as The Disability Act). The Act was considered a landmark step, as it was the first time in the history of independent India where a holistic approach was attempted to promote rights, participation and equality of people with disabilities, as the name of the Act indicates. Enacted under Article 253 of the Constitution, the Act provides for education, employment, creation of barrier-free environment, social security and similar overlooked areas that are absolutely necessary for the inclusion of people with disability in the society. The campaign will celebrate the journey of the past 20 years, the successes towards equality, while introspecting on the missed targets and devising a roadmap for the coming years. While it is true that the country still has a long way to go when it comes to disability rights, it is equally important to recognise that all the successes so far would not have been possible had the country not started its journey towards equality and inclusion 20 years ago.

According to Population Census 2011, there are 2.68 crores (2.21%) persons with disability in India. However, the actual number of people with disabilities is far greater than what has emerged in the Census - the estimates range from 5% to 15 % of the population. Of the total population, only 26% constitute the working population, as per Census 2011. Among the working population with disability, 78% are males¹. There is greater unemployment among women with disabilities. In spite of this enormous resource pool, employment issue of people with disability has been extremely low on stakeholder's agenda. Though with the passage of The Disability Act in 1995, some opportunities have opened up particularly in the area of education and employment, however, there is still a long way to go for the country/society to look at persons with disabilities as contributing human resource. This paper discusses how the employment scenario has evolved for people with disabilities since the passage of the Act in 1995 and the way forward for it.

Employment of people with disability and the Legal Framework

The Disability Act, 1995 was ground-breaking for more reason than one. The Act specifically recognised the need for economic empowerment for people with disabilities and had provided several provisions for the same. Some of the salient points included:

- Section 32: Identification of posts which can be reserved for persons with disabilities - "Appropriate Governments shall identify posts, in the establishments, which can be reserved for the persons with disability; at periodical intervals not exceeding three years, review the list of posts identified and up-date the list taking into consideration the developments in technology."

- Section 33: Reservation of Posts -“Every appropriate Government shall appoint in every establishment such percentage of vacancies not less than three per cent for persons or class of persons with disability of which one percent each shall be reserved for persons suffering from a) blindness or low vision; b) hearing impairment; c) locomotor disability or cerebral palsy, in the post identified for each disability.”
- Section 40: Vacancies to be reserved in poverty alleviation schemes – “The appropriate Governments and local authorities shall reserve not less than three per cent in all poverty alleviation schemes for the benefit of persons with disabilities.”
- Section 41: Incentives to employers to ensure five per cent of the work force is composed of persons with disabilities – “The appropriate Governments and the local authorities shall, within the limits of their economic capacity and development, provide incentives to employers both in public and private sectors to ensure that at least five per cent. of their work force is composed of persons with disabilities.”
- Section 47: (1) No establishment shall dispense with, or reduce in rank, an employee who acquires a disability during his service... (2) No promotion shall be denied to a person merely on the ground of his disability.

The Act, further in various clauses, has provided for non-discrimination, relaxations, affirmative action, accessibility, etc. There has been a long standing demand of the disability sector for extending reservation in jobs for people with intellectual impairment, autism, multiple disabilities and mental illness, which the New Bill on Disability has included.

In spite of three percent reservation for employment, time and again, the disability right groups had to fight with the authorities to demand inclusion of people with disability in the workforce. There often existed confusion in the Government sector on the interpretation of various clauses for which the disability rights groups had to knock at the doors of the judiciary and in some cases it had to be escalated to the Prime Minister’s level. Thankfully, in most cases, the outcome was positive. Take for instance:

- In 2003, when two persons with disabilities who were qualified on merit for Indian Administrative Service (IAS) were relegated to Indian Information Service (IIS), NCPEDP and Disabled Rights Group (DRG) launched a campaign against the blatant discrimination, which led to the then Prime Minister to intervene and resolve the issue. As a result, more services, including high ranking services like IAS, IPS and IFS were opened up for persons with disabilities.
- There was another issue related to 3% reservation, which the government conveniently interpreted as “3% of the identified jobs”, which got clarified as a result of a Public Interest Litigation (PIL) filed in the Delhi High Court. The Delhi High Court ruled that 3% of the “total strength” of employees in any Government establishment should be disabled persons.¹

¹<http://indianexpress.com/article/india/india-others/3-quota-must-for-disabled-in-all-govt-jobs-including-ias-supreme-court/>

- Further, in another case in 2014, the Supreme Court ruled that 3% reservation for disabled candidates are not only at the stage of their appointments but also for departmental promotions. The apex court held that the Centre, States and Union Territories were obligated to implement the rules of reservation for this class in the matters of appointment, selection, direct recruitment, deputation and also for promotions.

There are also international obligations owing to which the country cannot afford to ignore the employment situation of people with disability.

The Government of India ratified the **Convention on the Rights of Persons with Disability (CRPD)** in 2007. The Convention mandates the member nations to promote, protect and ensure full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity. This includes promotion of employment opportunities and career advancement for persons with disabilities in the labour market without any discrimination.

- Article 27 of the CRPD requires that States Parties recognise the right of persons with disabilities to work, on an equal basis of others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. And that States Parties shall safeguard and promote the realisation of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation.

With the ratification of the CRPD, it becomes mandatory to review all our laws, policies and programmes in the light of the letter and spirit of its provisions. Equal opportunity, non-discrimination and reasonable accommodation for persons with disabilities should become an integral part of all the programmes. As we march ahead, the focus should be on enforcing the mandates of the CRPD in the public and private sectors.

Further, the member nations of the United Nations including India has adopted the **Sustainable Development Goals** in September 2015, where the world leaders have vowed to “leave no one behind” in development and have decided to end world’s poverty and achieve full employment by 2030. Among the 17 goals include:

- Goal 1: By 2030, eradicate extreme poverty for all people everywhere.
- Goal 8: By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.

If the country has to achieve complete eradication of poverty and full employment by 2030, it cannot afford to leave behind significant population comprising of people with disabilities. The need of the hour is to have a systemic change to include people with disabilities in the nation’s vision and programmes. There are many gaps in the implementation of various schemes that require urgent interventions. A concerted effort is required to identify these gaps and in

plugging them. The various barriers to employment have to be addressed and focused initiatives have to be introduced.

Employment in the Public /Government Sector

One of the biggest contributions of The Disability Act 1995 was that it opened the job opportunities in Grade A and Grade B positions. Prior to the enactment of the Act, only jobs of Grade C and Grade D were open to people with disabilities. However, the implementation leaves a lot to be desired.

To understand the scenario of employment of people with disabilities, NCPEDP had conducted an independent survey in 1999 of 'Top 100' companies in India, which included public sector companies.² The survey highlighted the dismal rate of employment across different sectors. The report denoted that among the public sector companies, a disappointing 0.54% of the workforce constituted of persons with disability. A report by the World Bank in 2006-07, 'People with Disabilities in India: From Commitments to Outcomes', stated that only 0.37% of all posts in Ministries and Departments and 0.44% of all posts in public sector companies were filled by disabled people³. Though latest data is not available, but based on other indicators as given below, it is clear that the representation of people with disabilities is way below the mandated 3%.

- According to some estimates, there are more than 15,000 reserved job vacancies in the government and public sector that are yet to be filled for persons with disability.⁴
- The number of placements of people with disabilities by Employment Exchanges has been steadily declining over the years. It was 4,200 in 1999; 3700 in 2008 and only 2100 in 2012!⁵, while the total number of placements of non disabled people by the Exchanges has increased from 1, 77,700 in 2000 to 3,04,900 in 2008 and to 4,27, 600 in 2012.

Going forward, following are some of the key areas that the Government should focus on:

Clearing Backlog vacancies in a mission mode

There is a huge backlog of reserved vacancies for persons with disabilities. Various estimates peg the number of unfilled vacancies at a whopping 15,000⁶. The disability sector has not been happy with the Government's pace in filling up

²<http://ncpedp.org/employ/em-resrch.htm>

³<http://www.dnis.org/Employment.pdf>

⁴<http://www.tribuneindia.com/news/nation/sc-welcomes-govt-s-steps-to-implement-quota-for-disabled/127337.html>

⁵http://labour.gov.in/upload/uploadfiles/files/latest_update/what_new/5540adbf5fc2bLEnglishAnnualReport2015.pdf

⁶<http://www.dnaindia.com/india/report-supreme-court-welcomes-centre-s-steps-to-implement-quota-for-disabled-2120836>

the vacancies and has filed several contempt pleas on the same. The Department of Personnel Training (DoPT) has committed to the Supreme Court that vacancies will be filled by February 2016. There is an urgent action required to ensure that these backlog vacancies are closed in a time-bound manner. This should be monitored at the highest level on a quarterly basis to ensure that the backlog is totally cleared. At the same time, it is important that adequate measures are taken by the Government which ensures such backlogs are not created in the future.

Relooking at the Job identification

The 'identification of jobs' continues to be a major concern. Many jobs remain 'unidentified' for persons with disabilities. Hence, many qualified people with disabilities are denied jobs in the Government due to this discriminatory policy.

What is alarming is that the identification of white collared jobs is based on physical requirements, such as bending, lifting, walking, pushing/pulling, etc. and not on skills and functions of the job! Based on the physical requirements, jobs are identified for people with say One Arm (OA), Both Arms (BA), One Leg (OL), Both Legs (BL), Hard of Hearing (HH), Blind (B), Low Vision (LV), etc.⁷ It does not take into account the use of assistive devices and accommodations. One of the persons with disability who had cleared the Civil Services Examination in 2010 was allotted the Indian Revenue Service but she was stopped from joining because authorities cited her "inability to push, pull and lift". She had to file a case in the Tribunal for justice.⁸

This identification clause is there in the new Bill as well. It is highly recommended that instead of identifying certain jobs for persons with disabilities, all jobs should be opened up for persons with disabilities. In case a Department wants an exemption for a particular job for a particular person with disability, it should apply for it. An Expert Committee, including representatives from Disabled Peoples' Organisations (DPOs) should be formed to examine such applications for exemptions.

An effort should be made to detail all jobs in terms of the skills required and the essential functions of the job. Many countries across the world follow the practice which not only helps people with disabilities but also non disabled people to make their career choices.

Overhauling the functioning of employment exchanges

As on December 2013, there were 40 "Special Employment Exchanges for physically handicapped" and 38 "Special Cells". The total number of Employment Exchanges in the country is 978. The functioning of these exchanges for the benefit for people with disability leaves a lot to be desired (as seen above). There is an urgent need to revamp these Employment Exchanges (regular, professional and special) across the country to make them effective, inclusive and barrier-free for persons with disabilities.

⁷Website of Office of CCPD, <http://www.ccd disabilities.nic.in/content/en/docs/ga13.pdf>

⁸ How IAS topper Ira Singhal took up the challenge of lifting 10 kg of weight in one hand; Babus of India, 6th July 2015

Creating an inclusive and a barrier-free work environment

Government's efforts should not be restricted to job reservations. It is important that the Government works towards creating a barrier-free work environment for persons with disability. Some of the measures suggested for the same include:

- Under the Accessible India campaign, prioritise to undertake access audits of all existing workplaces including offices and factories, owned, operated, managed or contracted by government or the public sector undertakings. Create a Policy and enforcement System to ensure that no workplace premise is constructed which is not accessible or barrier-free.
- Introduce a Scheme for reasonable accommodation/adjustment with specific budget in each Department/Office for the same. Frame a Policy for providing Reasonable Accommodation/Adjustment for persons with disabilities (applicants and employees) applicable to each Ministry/ Department/Office.
- Start a Disability Labour Cell in the Ministry of Labour and Employment to implement and monitor all initiatives with regard to persons with disability in the Ministry.
- Introduce posts like sign language interpreters, career counsellors, job coaches, auditors for physical access and website access in Government offices, Municipalities, etc.
- Identify the human resource needs and conduct trainings (short and long term) – Specific trainings for placement officers, trainers in VRCs/ITIs etc., computer trainers, counsellors, access auditors, officers in charge of income generation and poverty alleviation Schemes, etc.

Employment in the Private Sector

The employment in the private sector has been growing at an increasing rate in the last two decades or so. However, representation of people with disabilities in the workforce of private sector is very low.

The same independent survey by NCPEDP in 1999 (discussed above) of 'Top 100' companies in India highlighted the dismal rate of employment across different sectors. The private sector and the multinational sector painted an apathetic picture where the research found only 0.28% and 0.05% of their total work-force of persons with disability. A more recent study conducted by Cyber Media Research Ltd. for NASSCOM in 2013 to understand the employment scenario of persons with disabilities in the IT - BPM Industry, revealed that percentage of employees with disabilities vis-a-vis total employees was only 0.36%! There is no comparable cross industry data.

The private sector was mentioned in The Disability Act only in Clause 41 that mandated the Government to announce incentives to promote employment of people with disabilities in the public and private sectors. This Clause remained only on paper till 2007. In the Union Budget 2007-08, a Central Sector Scheme of providing one lakh jobs per annum to the persons with disabilities, with a proposed outlay of Rs. 1800 crores, during the Eleventh Plan, was announced.

Under the Scheme, the Government makes payment of the employer's contribution to the Employees Provident Fund and Employees State Insurance for the first three years, as an incentive, in return of employment of persons with disabilities with monthly wage up to Rs. 25,000/- per month. Based on the response received for the RTI filed by NCPEDP, the number of beneficiaries under the Scheme by Employees State Insurance Corporation was only 457 as on 28th February 2011 and by Employee Provident Fund Organisation was merely 186, as on 30th December 2010. Clearly, the Scheme has not yielded the desired result.

It is also important to acknowledge that, since the last decade or so, the private sector has started proactively hiring people with disabilities. Certainly it is nowhere close to the ideal state of equal participation of people with disability in the sector. There are certain service industries such as Information Technology (IT), retail, hospitality etc. which have been proactive in hiring large persons with disability. Few large organisations such as Wipro, Mphasis, IBM, etc. are hiring people across different disability groups who are performing a variety of jobs. Organisations like EMC and SAP are providing internship opportunities to people with high support needs such as people with autism, deaf-blindness, multiple disabilities etc. Organisations such as Lemon Tree and J W Marriot have hired people with different disabilities including those with intellectual impairment. There are also companies like Sun-ITES, Lemon Tree Hotels and Vindhya e-infomedia, which differentiate themselves as an organisations that have a large sizable (10 %+) workforce as persons with disability.

However, the above spree for inclusion can be best classified as an exception. The effort has been very limited to a few organisations and largely restricted to the metropolitan cities such as Bengaluru, Pune, Delhi NCR, Mumbai etc. Many multinational companies follow disability policies in their offices situated in their home countries but when it comes to India, there is blatant neglect. While many companies put in financial and human resources on CSR, gender diversity and environment, disability remains a neglected area. A large number of private sector organisations have been indifferent to hiring persons with disabilities. The manufacturing sector which is a large contributor to the nation's Gross Domestic Product (GDP) and a large employment creator has not been proactively hiring persons with disability. Also, the whole new start-up companies have not been receptive in hiring persons with disability.

Industry bodies such as Confederation of Indian Industry (CII), Federation of Indian Chamber of Commerce and Industry (FICCI), Associated Chambers of Commerce & Industry of India (ASSOCHAM), The National Association of Software and Services Companies (NASSCOM) and PHD Chamber of Commerce & Industry (PHDCCI) have also not been particularly effective in exerting pressure on their member organisations to recruit people with disability. All these chambers/associations have done projects exclusively for persons with disabilities, like conducting job fairs, workshops, trainings, etc. The impact has been minimal. These apex bodies have failed to integrate disability into their own work - their infrastructure, websites, policies and programmes, including affirmative action and skill development programs, mostly remain non-inclusive

for persons with disabilities. The fact remains that the chambers/associations have not been able to influence their member companies to adopt any policy on non-discrimination of persons with disabilities.

Persons with disabilities continue to face rampant discrimination - offices and public places (including showrooms, etc.) continue to be inaccessible; people with disabilities are not even called for interviews if they mention disability on their resume; students with disabilities are left out in the campus placements; some of them are rejected after medical tests because of their disability; many face harassment in their day-to-day functioning and during promotions. There is no monitoring or redress mechanism.

Some of the measures that can be undertaken to improve the scenario are as follows:

- The sector needs to adopt a zero tolerance approach for any discrimination (direct/indirect) on the basis of disability. There is an urgent need for companies to have a stringent non-discrimination policy and should have documented ombudsmen procedure with an independent disability expert member on the redressal board. There should also be a redressal board constituted by the industry bodies such as CII, NASSCOM etc. to address any escalated issues of discrimination against people with disability.
- The private sector also needs to move away from the mindset of hiring people with only certain types of disability and for certain jobs only. They should move ahead from experimental and exclusive approach towards creating a more inclusive work environment.
- Government should introduce a tax rebate/incentive scheme that could support accommodation/adjustments (for creating accessibility in the workplace, assistive technologies, devices, personal attendants, salaries of job coaches, transport, salary reimbursement, on-the-job training, etc.)
- Government should introduce an eligibility criterion in their Procurement Policy that companies that apply for Government Orders/Contracts must have done serious work in the area of inclusion of persons with disabilities. All tender applications should have a section that requires applying companies to detail their work in hiring persons with disability.
- The Rights of Persons with Disabilities Bill should have provisions for the private sector organisations, including NGOs, educational institutions, etc. to ensure non discrimination, reasonable accommodation and accessibility. It could include clear guidelines for implementation, including mandating all organisations to have a stated Equal Opportunity Policy, including supplier diversity policy; affirmative action for persons with disabilities and an Implementation Plan; to establish a Council at the highest level to address issues of discrimination/harassment within the organisation; and a clear reporting mechanism.

Entrepreneurship Development, Self-Employment and Micro Enterprises

Self-Employment has been an important option for a lot of people in India in general and for people with disabilities in particular. The country has initiated several programmes for enhancing self-employment opportunities and for supporting the setting up of micro, small and medium enterprises. The Disability Act 1995 mandates 3% reservation in poverty alleviation schemes for persons with disabilities. However, it is not being effectively implemented. The participation of people with disabilities in these programmes has been low, due to various factors, including inaccessibility.

The National Handicapped Finance and Development Corporation (NHFD) provides loans to people with disabilities at concessional rates. The total number of beneficiaries in the Year 2011-12 was 10,625 and total amount disbursed was Rs. 50.86 crores. Out of the total beneficiaries, 74% were males and 84% were people with orthopaedic disability. There is no data of number of people who applied for the loan. The procedure is very complicated and very few people are able to meet the requirements for availing the loan. There was a recent report that persons with disabilities will be eligible for classification under weaker sections category for priority sector loans from commercial banks⁹. It is yet to be implemented. There is also a Prime Minister's Employment Generation Programme (PMEGP) which was announced on 15th August 2008. PMEGP is a credit-linked subsidy programme for creation of employment in both rural and urban areas of the country. The programme aims to provide continuous and sustainable employment to a large segment of traditional and prospective artisans, rural and urban unemployed youth in the country through setting up of micro enterprises. Institutions/Production Co-operative Societies/Trusts specifically registered as such and SC/ST/ OBC/ Women/ Physically Handicapped /Ex-Servicemen and Minority Institutions are eligible for Margin Money (subsidy) under the programme. In 2014-15, 18141 projects were financed and 1,38,728 employment opportunities were created. However, there is no specific data available for people with disability.¹⁰ Many disability NGOs have production centres (popularly known as 'sheltered workshops'), where people with disabilities are involved in production of various goods. Most often the work in these production centres is seasonal in nature and people with disabilities working there do not even earn the minimum wage. These production centres do not have the marketing knowhow and required skills to promote these products and create a market for them. A very good initiative was set up by the National Trust called 'ARUNIM', a marketing federation in 2008, which not only aimed at building capacities of these production centres and entrepreneurs with disabilities but also in marketing their products. Due to certain bureaucratic

⁹http://articles.economicstimes.indiatimes.com/2015-03-13/news/60086389_1_priority-sector-less-than-20-branches-sub-target

¹⁰PMEGP Home Page: <http://www.kviconline.gov.in/pmegp/pmegpweb/>

issues of the Government, this initiative has been abruptly discontinued. ARUNIM had even received international recognition as one of the innovative programmes in employment by the Zero Project in 2013¹¹.

The last five years or so there has been a tremendous increase in the entrepreneurship initiatives in the country especially from a technology based start-up point of view. New opportunities have opened up in this domain with unprecedented amount of capital being provided through venture capital and private equity. Here too, people with disability seem to be missing out. One has not witnessed any prominent entrepreneur with disability being funded. Second, though many of the products and services offered by these start-ups can be extremely beneficial and enabling for people with disability, they continue to remain inaccessible for most people with disability. The start-up eco-system has also not been very responsive in hiring people with disability in their workforce. There is a need to influence this new start-up eco-system and make them accountable for creating products, services and workplace environment that is inclusive for people with disability.

Some suggestions for promoting self employment / entrepreneurship for persons with disabilities are given below:

- There should be provisions to ensure inclusion of persons with disabilities in all the Schemes under the Entrepreneurship and Skill Development Programmes of Ministry of MSME, including short term and long term courses and fulfilment of 3% reservation in all the programmes. In addition, there should be a specific scheme for providing support to people with disabilities to access the various schemes.
- Ministry of MSME should have a Cell for Persons with Disabilities, as it has for Women¹².
- Prime Minister's Employment Generation Programme (PMEGP) should have a special focus on people with disability and encourage ventures promoted by people with disability. There is a need to create more awareness among persons with disability about this scheme. There should be periodic reporting of all those people with disability benefited from this programme.
- The Incubation Centres for promoting entrepreneurship should be made inclusive for people with disabilities.
- All Ministries (example, Agriculture, Animal Husbandry, Dairy and Fisheries, Petroleum, Railways, Telecom, IT, etc.) having income generation programmes, including outsourcing/franchise etc. should ensure that at least 3% of the beneficiaries are persons with disabilities.

¹¹ Zero Project Website, <http://zeroproject.org/practice/association-for-rehabilitation-under-national-trust-initiative-of-marketing-arunim-india/>

¹² <http://dcmsme.gov.in/schemes/wenterpre.htm>

Unorganised Sector and Poverty Alleviation Programmes in Urban and Rural Areas

It is estimated that 80% of people with disability live in poverty. Further, according to the Ministry of Labour and Employment, more than 90% of the workforce in the labour market is in the unorganised sector. Thus, employment for the unorganised sector especially in rural areas requires a specific focus.

One of the very important legislations enacted in 2005 was the Mahatma Gandhi National Rural Employment Guarantee Act (NREGA), which enhances livelihood security by guaranteeing 100 days of waged employment in a financial year to a rural household. A clear provision has been made in NREGA to ensure people with disabilities are not excluded. According to the NREGA Operational Guidelines 2008, "If a rural disabled person applies for work, work suitable to his/her ability and qualification will have to be given. This may also be in the form of services that are identified as integral to the programme."

As per the data available on the website of the Ministry, out of the total people employed under NREGA, only 0.67% was people with disabilities¹³. There is no other data like number of people with disabilities who registered for employment, average person days worked, gender/disability break up, etc. Though NREGA data claims that people with disability are being provided employment opportunities, but in reality it may not be happening. There is no systematic way to collect the data. A study conducted by All India Confederation of the Blind (AICB) had revealed that majority of the blind people who got employment under the NREGA was not actually blind! The study was conducted in Punjab, Rajasthan, Karnataka, Tamil Nadu, Gujarat, Haryana and Chhattisgarh. In Punjab, of the 602 blind persons, the study found none of them to be visually impaired. Similarly, in Putter block of Karnataka, 43 persons reported to be blind as per official information, were found to be fully sighted. The same story was found across all the States surveyed. A similar effort was made by an NGO in Karnataka to study the kind of jobs being done by people with disabilities under NREGA based on the data given on the Government of Karnataka's website. When they visited the Gram Panchayat, it was told to them that the data of disability was not available as it is not mentioned in the job card! They could not figure out as to where these numbers on the website came from¹⁴. Their study also indicated that 82% of people with disabilities were in the age group of 18-60 years. Among them, only 34% were employed and the remaining said that there were no job opportunities for them in their villages.¹⁵

¹³Website of NREGA,

http://mnregaweb4.nic.in/netnrega/all_lv1_details_dashboard_new.aspx

¹⁴As shared by Mr. Basavaraju, GRAM at a conference organized by DNA and CII on Employment in Bangalore, 2015

¹⁵Numbers do not matter in case of PwD living in rural areas, Study by GRAM, <http://graam.org.in/numbers-do-not-matter-case-pwd-living-rural-areas>

National Rural Livelihood Mission NRLM is a flagship programme of the Government of India. The programme aims to reach out to all rural poor households in the country estimated at 8-10 crores and organise them in Self help Groups and Federations at village and higher levels by 2021-22. It is mentioned in the scheme that it will reach out to the most marginal and vulnerable community including people with disability. As of January 2015, 20.95 lakh SHGs in 2125 blocks in 316 districts have been promoted. Earlier, NRLM was known as Swarna Jayanti Swarozgar Yojna (SGSY). In SJSY there used to be 3% reservation and data on number of people with disabilities covered would be reported in Annual Reports. However, after it was restructured as NRLM, the data on number of people with disabilities covered is not being reported. With persons with disabilities being mentioned as a focus, there are certain exclusive SHGs and Training programmes are being planned for them. Persons with disabilities seem to have been left out of regular programmes, which seems a regress from the previous SJSY scheme.

Under the Deen Dayal Upadhyaya Grameen Kaushalya Yojana (DDU-GKY), from 2004-05 to 30th November 2014, a total of 10.94 lakhs candidates have been trained and 8.51 lakhs have been given placement. The Annual Report of the Ministry of Rural Development (2014-15) has the data for social groups such as SC, ST, women, minorities, but not for people with disability. Further, it was announced in September 2014 that MoU with "champion employers" has been signed to not only train the rural poor but also provide employment and promotions. About 6.06 lakhs candidates will be trained in the current fiscal¹⁶. In the DDU-GKY scheme too, as per the information available, there is a very segregated approach towards training people with disability. Instead of making all the training agencies inclusive and barrier free and giving them the 3% quota, the government is focusing on creating exclusive training programmes for people with disability through disability NGO partners.

There is another initiative of setting up Rural Self employment Training Institutes (RSETI). As on 31st December 2014, 583 RSETI are functioning in India with an overall target 3.53 lakhs for the fiscal 2014-15. However, here too no data is available for people with disability.

The Ministry of Housing and Urban Poverty Alleviation had been implementing a Centrally Sponsored Scheme Swarna Jayanti Shahari Rozgar Yojana (SJSRY) which has been restructured into National Urban Livelihoods Mission (NULM) since September, 2013. It aims at organising urban poor in Self-Help Groups, imparting skill training to urban poor for self and wage employment and helping them to set up self-employment ventures by providing credit on subsidised rate of interest. As per the Annual Report of the Ministry (2014-15), "under the Self Employment Programme (SEP) and Employment through Skills Training and Placement (EST&P), which are components of NULM, a special provision of 3% has been reserved for the disabled category. During 2014-15, under the Self Employment Programme (SEP), out of the, total of 5,166 beneficiaries, 43 belong to disabled category, which is about 0.83% of the total beneficiaries assisted. Under Employment through Skills Training and Placement (EST&P), out

¹⁶ Annual Report 2014-15, Ministry of Rural Development

of the total, 49,809 beneficiaries were provided skill training, 290 belong to disabled category, which is about 0.58%.¹⁷ The percentage of people with disabilities covered is far less than the mandatory 3%.

Under the National Social Assistance Programme which provides social protection to rural poor, there is a special scheme for people with disability. The centre provides a sum of Rs. 300/- per month for every person with disability and State Governments are free to increase the same. Thus there exists a lot of disparity across states where a few states such as Goa provides a monthly pension of Rs. 1000 and there States like Bihar which only provides Rs. 300. According to the Annual Report, 9.51 lakhs people with disability so far have been covered in the scheme. Again, the coverage is very poor.

There is no data of number of people with disabilities working in the unorganised sector. Government has a few social security schemes like Rashtriya Swasthya Bima Yojana (RSBY) (health insurance scheme) for people engaged in the unorganised sector. However, pre existing diseases are not covered under the scheme. This may prove to be a barrier for accessing the scheme for some people with disabilities. Some suggestions for the way forward to promote employment in the rural areas for persons with disabilities are:

- Ensure that at least 3% of total people (the target should be in fact all people with disability) are covered under all poverty alleviation programmes (and in all components of the programme), including NREGA, NRLM, NULM. There should be proper data collection and reporting of persons with disabilities covered under all the schemes.
- The skill development programme under NRLM, RSETI, DDU-GKY, NULM, etc. should ensure persons with disabilities are trained both in inclusive set up as well as through focused drive, particularly for people with developmental disabilities.
- Mandate at least 3% fund allocation for persons with disabilities in all the relevant Ministries.
- There should be a Disability Cell in the Ministry of Rural Development and Ministry of Housing and Urban Poverty Alleviation at the Centre and at every State with adequate manpower and resources to ensure that persons with disabilities are covered under all the concerned Schemes, particularly NREGA, NULM and NRLM.
- There should be Disability Audit of NREGA, NULM and NRLM to identify the gaps and suggest strategies to improve on fulfilment of the mandate for persons with disabilities.
- Since NREGA is a demand driven Scheme, raising awareness on the rights of persons with disabilities under the Scheme becomes crucial.
- There should be specific targets/initiatives and support for women with disabilities and those with developmental disabilities at the community level.

¹⁷Annual Report of Ministry of Housing & Urban Poverty Alleviation, National Urban Livelihood Mission

http://mhupa.gov.in/writereaddata/Annual_Report_2014_15_MHUPA_English.pdf

- All social security schemes should take into account the needs of people with disabilities, including the disability cost.

Need for data collection on employment of persons with disability

The Employment and Unemployment Surveys of National Sample Survey (NSS) are primary sources of data on various indicators of labour force at National and State levels. These surveys are conducted regularly to assess the employment-unemployment level across the country giving data across different parameters including gender, social groups like SC/ST and employment across various sectors, education, skill levels, and number of days for which job seeker and received, reason for unemployment, etc. The data from these surveys are used for planning, policy formulation and as input for further statistical exercises by various Government organisations, academicians, researchers and scholars. Disability data is not collected in the Survey.

Considering the importance and the role that NSSO data plays on employment policies, there is a pressing need for the Ministry of Statistics and Programme Implementation to include disability as a social group in all upcoming employment-unemployment surveys.

Enablers to Employment

In the discussion on employment, the factors that enable employment are equal or more relevant for inclusion. These enablers include inclusion in all skill development programmes, accessibility of all educational institutions including higher education, accessibility of all modes of transport, creating awareness among people with disabilities and other stakeholders, adequate social security; affordable assistive devices/technology, encouraging research on improving employability, etc. Each of these topics requires an independent and a detailed discourse, hence has not been covered in this paper.

Conclusion

Even after 68 years of our independence, 20 years after the passage of The Disability Act and 8 years after the ratification of the CRPD, the talent, skills and potential of people with disabilities mostly remain untapped, underutilised and underdeveloped. The education and employment rates of persons with disabilities are far lower than non-disabled persons. Though it has been clearly established that disability is not a charity but a development and a rights issue, this thinking is yet to sink in with many of the decision makers and implementers in the country - both in the public and the private sectors. Disability still does not figure in many of the development aspects of the country. It is either forgotten or added as an afterthought. As a result, people

with disabilities remain excluded. As we march ahead towards 2030, it is important to ensure that people with disability are not left behind. It is important to see persons with disabilities as a human resource that could contribute and participate in nation building.