CHAPTER - VII

REHABILITATION PROVISIONS DURING THE INTERNATIONAL YEAR FOR DISABLED PERSONS (IYDP) - 1981

7.1. Stimulus for Rehabilitation: The International Concern

Assuring the rights of the disabled and facilitating their integration into society has been the central aim of United Nations policies and programmes in its efforts on behalf of disabled persons. The over-arching purpose of these aims is to enable the physically and mentally handicapped to contribute effectively to the development process and to derive appropriate benefits for their efforts. The United Nations have sought to show the path to all the States and Governments of the World by way of issuing Declaration regarding the welfare and enlistment of the members of the weaker sections of the society from time to time. Through such Declarations and consequently issued Manuals, Guidelines and Programs etc., the United Nations have outlined the working philosophy of the efforts to be made world-wide for the enlistment of disabled too. Following the International Years of women and children, the General Assembly of the United Nations declared 1981 as the ‘International Year of Disabled Persons’.

International Labor Organization (ILO), one of the specialized agencies of the United Nations had started paying attention to the problems of the disabled during the League of Nations period. The first such initiative seems to have been taken by the ILO in 1921 when it published a report on the compulsory employment of disabled ex-servicemen followed by a meeting of experts to study the methods of finding employment for disabled persons. They said that “disabled ex-servicemen should have the opportunity of earning their livelihood, independently of any pension received, by their own productive work to the fullest extent of their capacity, and that the State was pre-eminently responsible for legislating and devising means for the employment of disabled ex-servicemen”.1 This was followed by International Labor Conference in

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1925. The Conference recommended for the vocational re-education of the injured workmen. The Second World War multiplied the number of disabled ex-servicemen like anything. This gave momentum to the rehabilitation of the disabled persons—both ex-servicemen and civilian disabled. This also impressed the International Labor Conference of 1944 which reaffirmed in the Employment (Transition from War to Peace) Recommendation that “disabled workers, whatever be the origin of their disability, should be provided with full opportunities for rehabilitation, specialized vocational guidance, training, retraining and employment on useful work”. ²

7.1.1. United Nations Declaration

(a) U.N. Charter 1954

The Post-War period began ³ with a new approach to various problems of mankind. The Charter of the United Nations 1945 was signed in the name of the peoples of the United Nations. It reaffirmed their faith in fundamental human rights in the dignity and worth of the human person, and their commitment to promote social progress and better standards of life and larger freedom. The Charter resolved to employ international machinery for the promotion of the economic and social advancement of all persons. One of the purposes and principles started in the Charter was to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction of race, sex, language or religions.⁴

Though there is no direct mention of disabled persons in the Charter, yet they can be said to be covered when it refers to “problems of an economic, social . . . or humanitarian character. . .”⁵

² Id.
⁴ Ibid., at p. 56
⁵ Ibid., at p. 76
(b) **U.N. Declaration of Human Rights 1948**

In 1948, the General Assembly of the United Nations adopted and proclaimed the Declaration of Human Rights. It asserted for everyone freedom from want and ensured equality in all its manifestations. The Declaration covered *inter alia* the following rights:

(i) All human beings are born free and equal in dignity and rights.

(ii) No one shall be held in servitude.

(iii) All are equal before the law.

(iv) Everyone has the right of equal access to public service.

(v) Everyone has the right to social security and is entitled to realization of the economic, social and cultural rights indispensable for his dignity and free development of his personality.

(vi) Everyone has the right to work, free choice of employment, just and favorable conditions of work and protection against unemployment.

(vii) Everyone has the right to an adequate standard of living and to security *inter alia* in the even of unemployment, sickness and disability.

(viii) Everyone has the right to education to be directed to full development of human personality.

(ix) Everyone has the right to share in scientific advancement and its benefits.

The Declaration, declaring the rights of the human beings, did not make a specific mention of disabled persons or cases of disability except at one point. It is, however, obvious that its contents were made applicable to all alike.

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7 *Supra Note 3.*
International Labor Organization’s Recommendations Concerning Vocational Rehabilitation of Disabled Persons, 1955

The UN Charter and the UN Declaration were universal People’s Charter a standard of achievement, common for all peoples and all nations. The Declaration declared a number of rights and freedoms to which all human beings without any distinction of race, sex, language or religion were entitled equally. These were the guiding principles for and expectations from all the nations to create a new world order assuring justice, human dignity and security in the event of unemployment, sickness and disability. It was with this background that International Labor Organization, one of the organs of United Nations, in 1955, adopted the Vocational Rehabilitation (Disabled) Recommendation which not only further developed international interest in vocational rehabilitation or disabled persons but also stimulated national activities in this area. Apart from being a direction to all the States / Governments, the Recommendation with the object to restore to the disabled persons to the fullest possible physical, mental, social, vocational and economic usefulness of which they are capable, inter alia covered principles and placement of disabled persons, principles to organize rehabilitation services; methods of enabling disabled persons to make use of vocational rehabilitation services; means seeking co-operation between the bodies responsible for medical treatment and those responsible for vocational rehabilitation; methods of widening employment opportunities for disabled persons; measures for sheltered employment; special provisions for disabled children and young persons; and methods of application of the principles of vocational rehabilitation to special needs and circumstances.

9 Supra Note 3.
10 Supra Note 6.
11 Recommendation No. 99 adopted on 22nd June, 1955
12 Ibid., Part III
13 Ibid., Part IV
14 Ibid., Part V
15 Ibid., Part VI
16 Ibid., Part VII
17 Ibid., Part VIII
18 Ibid., Part IX
19 Ibid., Part X
The following contents of the Recommendation are noteworthy:

(i) The process of vocational guidance should include as far as practicable in the national circumstances and as appropriate in individual cases in ascertaining of aptitudes and the development of abilities by appropriate work experiences and trial, and by other similar means.

(ii) The principles, measures and methods of vocational training generally applied in the training of non-disabled persons should apply to disabled persons in so far as medical and educational conditions permit.

(iii) Wherever possible and appropriate, there should be courses to increase the skills of disabled persons.

(iv) Follow-up measures should be taken (i) to ascertain whether placement in a job or recourse to vocational training or retraining services has proved to be satisfactory and (ii) to remove as far as possible obstacles which would prevent a disabled person from being satisfactorily settled in work.

(v) Research should be fostered and encouraged to evaluate and improve vocational rehabilitation services for the disabled.

(vi) Measures should be taken to enable disabled persons to make full use of all available vocational rehabilitation services and to ensure that some authority is made responsible for assisting personally each disabled person to achieve maximum vocational rehabilitation.

(vii) Disabled persons (including those in receipt of disability pensions) should not, as a result of their disability, be discriminated against in respect of wages and other conditions of employment if their work is equal to that of non-disabled persons.

(viii) There should be the closest co-operation between, and the maximum co-ordination of, the activities of the bodies responsible for medical treatment and those responsible for the vocational rehabilitation of disabled persons. This co-operation and co-ordination of activities should exist, inter alia, (i) to ensure
that medical rehabilitation is directed towards facilitating and developing the
subsequent employ-ability of the disabled persons, (ii) to provide medical
advice, where necessary, at ll the stages of vocational rehabilitation.

(ix) Measures should be taken, in close co-operation with employers' and workers' organizations, to promote maximum opportunities for disabled persons to secure and retain suitable employment.

(x) Special reference should be to methods of improving work conditions including adjustment and modification of machinery and equipment to facilitate the employment of disabled workers.

(xi) Measures should be taken to organize and develop arrangements for training and employment under sheltered conditions for those disabled persons who cannot be made fit for ordinary competitive employment.

(xii) Vocational rehabilitation services for disabled children and young persons of school age should be organized and developed in close co-operation between the authorities responsible for education and the authorities responsible for education and the authorities responsible for vocational rehabilitation.

(xiii) Measures should be taken to ensure that children and young persons found by medical examination to have disabilities or limitations or to be generally unfit for employment.

(i) receive, as early as possible, proper medical treatment for removing or alleviating their disabilities or limitations;

(ii) are encouraged to attend school or are guided towards suitable occupations likely to be agreeable to them and within their capacity and are provided with opportunities of training for such occupations;

(iii) Have the advantage of financial aid, if necessary, during the period of medical treatment, education and vocational training.
(xiv) Vocational rehabilitation services should be adapted to the particular needs and circumstances of each country and should be developed progressively in the light of these needs and circumstances and in accordance with the principles laid down in the Recommendation. The main objective of this progressive development should be to overcome, in respect of training or employment discrimination against disabled persons on account of their disability.

7.1.2. *UN Document on Rehabilitation of the Disabled - 1965*

This UN document on rehabilitation spelt out a new approach\(^\text{20}\) to the problems of the handicapped and a new concept of their welfare. It said: “The time has long passed when a handicapped child or a disabled adult should be regarded as a subject for commercial exploitation and trained for the occupation of a professional beggar or even to be considered as a mere object for charity. Modern methods of medical and sociological science have opened up a new horizon of promise for such individuals. But if this promise is to be fulfilled and the handicapped person is to have his full chance of life, there must first be a new evaluation of physical disability based on the following theses: Firstly, that the handicapped persons is an individual with full human rights, which he shares in common with the able-bodied, and that he is entitled to receive from his country every possible measure of protection, assistance, and opportunity for rehabilitation. Secondly, that by the very nature of his physical handicap, he is exposed to the danger or emotional or psychological disturbance, resulting from a deep sense of deprivation and frustration and that he, therefore, has a special claim on society for sympathy and constructive help. Thirdly, that he is capable of developing his residual resources to an unexpected degree, if given the right opportunities of so doing, and of becoming in most instances an economic asset to the country instead of being a burden of himself, on his family, and on the State. Fourthly, that handicapped persons have a responsibility to the community to contribute their services to the economic welfare of the nation in any way that becomes possible after rehabilitation and training. Fifthly, that the chief longing of the physically handicapped person is to achieve independence within a normal community, instead of spending the rest of his life in a segregated institution, or within an environment of disability. Sixthly, that the rehabilitation of the

physically handicapped can be successfully accomplished only by the combination of medical, educational, social and vocational services. The first task which, therefore, confronts all international agencies is that of using all possible means to secure general acceptance throughout the world of this new conception of physical disability.

This document, though well reflected in some later Declaration of the United Nations, was not the first to express UN concern about the rehabilitation of the disabled. Earlier to this, the Economic and Social Council had issued a resolution on Social Rehabilitation of the Physically Handicapped. True, the mentally retarded were not mentioned in the resolution.

The United Nations did not stop with this resolution. Rather it expanded its activities focusing world's attention on strengthening universal respect for and observance of, human rights and fundamental freedoms for all. The Year 1968 was declared International Year for Human Rights by the United Nations. Later, as a follow up, it declared inter alia rights of mentally retarded, disabled persons and deaf-blind persons in 1971, 1975 and 1979. And then came 1981, International Year for Disabled Persons, followed by Plan of Action for 1980-81 and World Programmes of Action concerning disabled persons launching various programmes for 1983-92, the United Nations Decade of Disabled Persons. All these Declarations are discussed in detail in the forthcoming part of this Chapter.

7.1.3. **UN Declaration on the Rights of Mentally Retarded Persons, 1971**

Reaffirming faith in human rights and fundamental freedoms and in the principles of peace, of the dignity and worth of the human person and of social justice proclaimed in the Charter and recalling the principles of the Universal Declaration of Human Rights, the General Assembly of the United Nations, in December 1971 emphasizing that the Declaration on Social Progress and Development had proclaimed the necessity of protecting, the rights and assuring the welfare and

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23 U.N. Charter 1945, Supra Note 3.
24 General Assembly, United Nations, Resolution No. 217A (III) Supra Note 6
25 General Assembly, United Nations Resolution No. 2542 (XXIV).
rehabilitation of the physically and mentally disadvantaged and accordingly, bearing in mind the necessity of assisting mentally retarded persons to develop their abilities in various fields of activities and promoting their integration, as far as possible, in normal life, proclaimed Declaration on the Rights of Mentally Retarded Persons and called for national and international action to ensure that it would be used as a common basis and frame of reference for the protection of these rights:

(i) The mentally retarded person has, to the maximum degree of feasibility, the same rights as other human beings.

(ii) The mentally retarded person has a right to proper medical care and physical therapy and to such education, training, rehabilitation and guidance as will enable him to develop his ability and maximum potential.

(iii) The mentally retarded person has a right to economic security and to a decent standard of living. He has a right to perform productive work or to engage in any other meaningful occupation to the fullest possible extent of his capabilities.

(iv) Whenever possible, the mentally retarded person should live with his own family or with foster parents and participate in different forms of community life. The family with which he lives should receive assistance. If care in an institution becomes necessary, it should be provided in surroundings and other circumstances as close as possible to those of normal life.

(v) The mentally retarded person has a right to a qualified guardian when this is required to protect his personal well being and interests.

(vi) The mentally retarded person has a right to protection from exploitation, abuse and degrading treatment. If prosecuted for any offence, he shall have a right to due process of law with full recognition being given to his degree of mental responsibility.

(vii) Whenever mentally retarded persons are unable, because of the severity of their handicap, to exercise all their rights in a meaningful way or it should become necessary to restrict or deny some or all of these rights, the procedure used for
that restriction or denial of rights must contain proper legal safeguards against every form of abuse. This procedure must be based on an evaluation of the social capability of the mentally retarded person by qualified experts and must be subject to periodic review and to the right of appeal to higher authorities.

7.1.4. Un Resolution on Prevention of Disability and Rehabilitation of Disabled Persons 1975

The Economic and Social Council of the United Nations\textsuperscript{26}, believing “that the problem of disability is an appreciable component of the economic and social condition of every country and consequently, that programmes to prevent disability and to rehabilitate the disabled are an essential part of comprehensive plans for economic and social development, responsibility for which must be assumed by Governments working, as appropriate, with non-governmental organizations”,\textsuperscript{27} draws the attention of the governments to the increasing magnitude of the problem of disability and disabled persons throughout the world.

The following contents of the resolution are noteworthy:

(i) The Council requested Governments:

(ii) to take progressively legislative measures to facilitate the prompt identification and prevention of disability and the effective organization of services for disabled persons;

(iii) To identify and evaluate existing services, including those provided by non-governmental organizations;

(iv) To incorporate in their development plans measures for the establishment of appropriate services or the improvement of services already in operation, especially, with a view to achieving better integration of disabled persons into the community through the co-ordination of programmes and activities of governmental and non-governmental organizations;

\textsuperscript{26} United Nations, Economic and Social Council, Resolution 1921 (LVIII) of 6th May, 1975.

\textsuperscript{27} Ibid., at p.98
(v) To Endeavour to assure for all categories of disabled persons - physical, sensory or mental-care, education, training, vocational guidance and suitable work as well as social security benefits.

(vi) The Council requested the Secretary-General to continue and to expand, within the limits of existing resources, activities in this field in co-operation with the organizations concerned:

(vii) To assist Governments, at their request, in the planning establishment and expansion, including extension to early childhood, of programmes for the prevention of physical and mental disability and for rehabilitation of disabled persons;

(viii) To undertake studies of special problems in the field, in particular those faced by the developing countries, the financing of prevention and rehabilitation services, the needs of particular groups such as the mentally ill and retarded, the blind, the deaf, the multi-handicapped and others, the elimination of social prejudice and discrimination affecting disabled persons, rehabilitation counseling, co-ordination between rehabilitation and social security services and the mental health aspects of disability, as well as studies of the limitations of segregated education and training and full integration into society.

(ix) It further requested the Secretary-General to consider measures for strengthening the activities of the regional commissions designed to assist the planning, establishment and improvement of prevention and rehabilitation services for the disabled.

(x) It suggested that the organizations concerned should engage in regular exchanges of information about their plans and activities in this field, particularly at the regional level.

(xi) It requested the United Nations Children's Fund, the United Nations Development Programme, the International Labor Organization, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and interested Non-Government Organizations in official relations
with the Economic and Social Council to join with the United Nations in well co-ordinate activities to assist all Governments, especially those of the developing countries, in planning and conduct of comprehensive programmes to prevent physical and mental disability and to provide suitable rehabilitation services, and further requested the United Nations, the International Labor Organization and the World Health Organization to intensify assistance to Governments, especially those of the developing countries, in the formulation of programmes and the training of instructors for the prevention of disability and rehabilitation of disabled persons throughout the world.

7.1.5. **UN Declaration of the Rights of Disabled Person - 1975**

In addition to what was said in the prelude to the Declaration\(^\text{28}\) on the Rights of Mentally Retarded Persons 1971,\(^\text{29}\) this Declaration, quoting the Economic and Social Council Resolution on the prevention of disability and the rehabilitation of the disabled persons,\(^\text{30}\) emphasized the necessity of preventing physical and mental disabilities. Under the Declaration, a disabled person means any person unable to ensure by himself or herself, wholly or partly, the necessities of a normal individual and / or social life, as a result of a deficiency, either congenital or not, in his or her physical or mental capabilities. The rights of the disabled, as asserted by the present Declaration, are reproduced as below:

(i) Disabled persons shall enjoy all the rights set forth in this Declaration. These rights shall be granted to all disabled persons without any exception whatsoever and without distinction or discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, state of wealth, birth or any other situation applying either to the disabled person himself or herself or to his or her family.

(ii) Disabled persons have the inherent right to respect for their human dignity. Disabled persons, whatever the origin, nature and seriousness of their

\(^{28}\) General Assembly, Resolution - 3447 (XXX), 9th December, 1975.

\(^{29}\) *Supra Note* 22.

\(^{30}\) Economic and Social Council, Resolution - 1921 (LVIII) 6th May, 1975.
handicaps, and disabilities, have the same fundamental rights as their fellow-citizens of the same age, which implies first and foremost the right to enjoy a decent life as normal and full as possible.

(iii) Disabled persons have some civil and political rights as other human beings; paragraph 7 of the Declaration on the Rights of Mentally Retarded Persons applies to any possible limitation or suppression of those rights for mentally disabled persons.

(iv) Disabled persons are entitled to the measures designed to enable them to become as self-reliant as possible.

(v) Disabled persons have the right to medical, psychological and functional treatment, including prosthetic and orthotic appliances, to medical and social rehabilitation, aid, counseling, placement services and other services which will enable them to develop their capabilities and skills to the maximum and will hasten the process of their social integrating or re-integration.

(vi) Disabled persons have the right to economic and social security and to a decent level of living. They have the right, according to their capabilities, to secure and retain employment or to engage in a useful, productive and remunerative occupation and to join trade unions.

(vii) Disabled persons are entitled to have their special needs taken into consideration at all stages of economic and social planning.

(viii) Disabled persons have the right to live with their families or with foster parents and to participate in all social, creative or recreational activities. No disabled persons shall be subjected, as far as his or her residence is concerned, to differential treatment other than that required by his or her condition or by the improvement which he or she may derive there from. If the stay of the disabled person in a specialized establishment is indispensable, the environment and the living conditions therein shall be as close as possible to those of normal life of a person of his or her age.
(ix) Disabled persons shall be protected against all exploitation, all regulations and all treatment of a discriminatory, abusive or degrading nature.

(x) Disabled persons shall be able to avail themselves of qualified legal aid when such aid proves indispensable for the protection of their persons and property. If judicial proceedings are instituted against them, the legal procedure applied shall take their physical and mental condition fully into account.

(xi) Organizations of disabled persons may be usefully consulted in all matters regarding the rights of disabled persons.

(xii) Disabled persons, their families and communities shall be fully informed, by all appropriate means, of the rights contained in this Declaration.


Desiring to achieve the effective implementation\(^\text{31}\) of the rights and principles laid down by the Declaration on the Rights of Disabled Persons, the General Assembly recommended (i) that all Member States should take account of the rights and principles laid down in the Declaration in establishing their policies, plans and programs; (ii) that all international organizations and agencies concerned should include in their programs provisions ensuring the effective implementation of those rights and principles.

7.1.7. Un Declaration on the Rights of Deaf-Blind Persons - 1979

This Declaration was originally adopted by Hellen Keller World Conference\(^\text{32}\) on services to Deaf-Blind Youths and Adults on 16th September, 1977 and was noted by the Economic and Social Council of the United Nations in 1979. The contents of the Declaration are reproduced below:

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\(^{31}\) United Nations, General Assembly, Resolution No. 31/82 of 13th December, 1976.

Article 1: Every deaf-blind persons is entitled to enjoy the universal rights that are guaranteed to all people by the Universal Declaration of Human Rights\textsuperscript{33} and the rights provided for all disabled by the Declaration on the Rights of Disabled persons.\textsuperscript{34}

Article 2: Deaf-blind persons have the right to expect that their capabilities and their aspirations to lead a normal life within the community and their ability to do so shall be recognized by all governments, administrators, educational and rehabilitation personnel and the general public.

Article 3: Deaf-blind persons have the right to receive the best possible medical treatment and care for the restoration of sight and hearing and the services required to utilize remaining sight and hearing, including the provision of the most effective optical and hearing aids, speech training, when appropriate and other forms of rehabilitation, intended to secure maximum independence.

Article 4: Deaf-blind persons have the right to economic security to ensure a satisfactory standard of living and the right to secure work commensurate with their capabilities and abilities or to engage in other meaningful tasks, for which the requisite education and training shall be provided.

Article 5: Deaf-blind persons shall have the right to lead independent lives as integrated members of the family and community, including the right to live on their own or to marry and raise a family. Where a deaf-blind person lives within a family, the greatest possible support shall be provided to the whole family unit by the appropriate authorities. If institutional care is advisable, it shall be provided in such surroundings and under such conditions that it resembles normal life as closely as possible.

\textsuperscript{33} General Assembly, Resolution - 217A (III), \textit{Supra Note} 6
\textsuperscript{34} General Assembly, Resolution - 3447 (XXX), 9th December, 1975, \textit{Supra Note} 28
Article 6: Deaf-blind persons shall have the right and at no cost, to services of an interpreter with whom they can communicate effectively to maintain contact with others and with the environment.

Article 7: Deaf-blind persons shall have the right to current news; information, reading matter and educational material in a medium and form which they can assimilate. Technical devices that could serve to this end shall be provided and research in this area shall be encouraged.

Article 8: Deaf-blind persons shall have the same right to engage in leisure-time recreational activities, which shall be provided for their benefit, and the right and opportunity to organize their own clubs or associations for self-improvement and social betterment.

Article 9: Deaf-blind persons shall have the rights to be consulted on all matters of direct concern to them and to legal advice and protection against improper abridgement of their rights to their disabilities.

7.1.8. International Year for Disabled Persons - 1981

Reaffirming its deep-rooted faith in human right’s and fundamental freedoms, the principles of peace, the dignity and worth of the human person and the promotion of social justice, as proclaimed by the Charter of the United Nations and recalling its earlier resolutions on the Declaration on the Mentally Retarded Persons, Declaration on the Rights of Disabled Persons, and Implementation of the Declaration on the Rights of Disabled Persons, the General Assembly proclaimed the Year 1981 as International Year for Disabled Persons, with the theme “full participation”, and decide to devote that year to the realization of a set of objectives, including:

(i) Helping disabled persons in their physical and psychological adjustment to society.

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(ii) Promoting all national and international efforts to provide disabled persons with proper assistance, training, care and guidance, to make available to them opportunities for suitable work and to ensure their full integration in society;

(iii) Encouraging study full integration in society; to facilitate the practical participation of disabled persons in daily life, for example, by improving their access to public buildings and transportation systems;

(iv) Educating and informing the public of the rights of disabled persons to participate in and contribute to various aspects of economic, social and political life;

(v) Promoting effective measures for the prevention of disability and for the rehabilitation of disabled persons.

The emblem for the Year shows two persons holding hands in solidarity and support of each other and in a position of equality. Surrounded by the UN laurel leaves, the emblem reflects equality, hope and support. It is based on an original design presented by the French National Commission for IYDP.36 The President of the United Nations General Assembly, in his message on the occasion of the International Year for Disabled Persons, sounded a note of humanist sense when he said:

We have to remember that the problems of the disabled are the problems of society as a whole, and that we bear the responsibility to encourage and help them to lead useful lives. This we must do, not as an act of charity, but because it is their right. And by seeing that the rights of the disabled are recognized and their needs fulfilled, society as a whole will benefit. For the disabled are asking to be accepted for their abilities and not disabilities.37

The United Nations Secretary-General Kurt Waldheim, in his message on the occasion of the International Year for Disabled Persons, put passionately his hope. 1981 will witness concrete progress towards alleviating the pain and reducing the waste

36 UNICEF Pamphlet, New Delhi
37 Issued by United Nations, Division for Economic and Social Information on 21st July, 1978
of human potential caused by physical or mental disability. A hope to come true needs action. This is what Kurt Waldheim suggests and puts his seminal thought a drastic change in our attitude towards disabled persons is the pre-requisite for such progress. We have above all to remember that problems of physical or mental disabilities are the problems of society as a whole. We not only bear a Collective responsibility to avert the unnatural causes of human disability, such as war, but also to give the disabled every possible assistance to lead useful and productive lives. He emphasized that the General Assembly, by proclaiming 1981 as the International year for Disabled Persons aimed at focusing attention on the enjoyment by disabled persons of rights and opportunities in order to ensure their full participation and integration into society. The effort to find solutions to the problems of disabled persons should be an integral part of national development strategies. The ultimate success or failure of the IYDP will turn on whether people’s attitude towards the disabled can be changed. It is simple enough matter to assert that they need and deserve help and encouragement, but it is the quality and spirit of that help which is important. Too many of us are apt to shun the handicapped or pity them or convey the hurtful impression that they are somehow abnormal.

7.1.9. UN Plan of Action for the Year - 1981

The preparations for and activities during International Year of Disabled Persons were supervised by 23-Nation Advisory Committee. The Committee prepared a Plan of Action for the Year - 1981, which was adopted by the UN General Assembly on 30th January, 1980.

The General Assembly affirmed that the main focus of the Year would be on activities at the national level with stress on developing countries. With this national perspective in mind, national committees for IYDP were established by the Member States. These committees planned, coordinated, executed and encouraged a wide range

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39 Ibid., at p. 21
40 Ibid., at p. 23
of activities aimed at spreading understanding for the special needs of the disabled and took action to enable them to play as full and productive a part as possible in the life of their societies.\textsuperscript{43}

An important objective of the year was to increase public understanding of what disability was and awareness of the problems it might bring, as well as promoting recognition of the distinction between impairment, disability and handicaps. The Plan of Action emphasized that disability was a relationship between an individual and his or her environment. Society had an obligation to make their general physical environment, as well as the full range of social, economic and cultural activities, accessible to disabled persons. The Plan of Action called for the Year to have a pragmatic orientation, with a focus on primary care, prevention and rehabilitation. It emphasized particularly the need for the great part of activities during IYDP to take place in the developing countries where most of the world's disabled lived.\textsuperscript{44}

The Plan of Action made a broad range of recommendations for activities at the national level. Among them were:

(i) The purpose of the Year is to promote the realization of the goals ‘full participation’ of disabled persons in the social life and development of the societies in which they live, ‘equality’ meaning living conditions equal to those of other citizens in their societies and an equal share in the improvement of living conditions resulting from social and economic development. These concepts should apply in the same manner with the same urgency in all countries regardless of their level of development.

(ii) Problems of disabled persons should be conceived in their entirety and take into account all aspects of development. However, it should be noted that in view of many problems of high priority and of insufficient means and resources, the developing countries have been unable to allocate the necessary resources to solving the problems of disabled persons.

\textsuperscript{43} Ibid., at p. 12
\textsuperscript{44} Ibid., at p. 34
(iii) As the solution of problems of the disabled is closely connected with overall development at the national level, a solution of these problems in developing countries depends to a large extent on the creation of adequate international conditions for the faster socio-economic development of these countries. Accordingly, the establishment of the new international economic order is of direct relevance to the implementation of the objectives of the Year. It is estimated that there are some 450 million disabled persons in the world today, the vast majority of whom live in developing countries. It is, therefore, imperative that a great part of the activities in connection with the Year should aim at improving conditions for disabled persons in these countries. More scope should be given to projects in this field within the framework of both bilateral and multilateral development programmes, on national, regional and international levels. Such projects should be integral parts of national development strategies. There is a need to secure the participation of Member States as well as governmental and non-governmental international organizations of disabled people in the adoption and implementation of the programme of the Year.

(iv) Mindful of the fact that a large number of disabled persons are victims of war and other forms of violence, the Year could be appropriately used as an occasion to emphasize the need for continued and re-informed co-operation among nations for world peace.

(v) An important objective of the year should be to increase public understanding of what disability is and awareness of the problems it may bring. Many people today equate disability with restrictions in physical mobility. But disabled persons do not form a homogenous group. For example, deaf persons and those with impaired hearing, persons with impaired vision, mentally retarded and mentally ill persons, persons with retarded mobility, and persons with various medical impairments have different problems that demand different solutions.

(vi) The Year should promote recognition of the fact that there is a distinction between an impairment which is a quality of the individual, disability which is a
functional restriction due to that impairment and handicaps which are the social consequences of the disability.

(vii) It is becoming increasingly obvious that a far more constructive approach is to view disability as a relationship between an individual and his or her environment. Experience shows that it is largely the environment which determines the effects of impairment on a person's daily life. Socialites, by and large, still cater only to people who are in full possession of all their physical and mental faculties. Societies still have to learn to respond adequately to the needs of all the people. Societies have an obligation to make their general physical environment, their social and health services, their educational and work opportunities, as well as their cultural and social life, including sports, totally accessible to disabled persons. This does not only benefit disabled persons - but also society as a whole. A society that shuts out a number of its members is an impoverished society. Disabled persons should not be considered as a special group with needs differentiation from the rest of the community, but as ordinary citizens with special difficulties in getting their ordinary human needs fulfilled. Action to improve conditions for disabled persons should form an integral part of general policy part of national reform programmes and of regular programmes for international co-operation.

(viii) The activities carried out during the Year should have pragmatic orientation and accordingly should focus on primary health care, rehabilitation and prevention, in view of the importance of that type of activity from the social and human standpoint, particularly since methods and means exist which would enable society to bring about a considerable reduction in the number of disabled persons and the seriousness of their disabilities.

(ix) In accordance with paragraph 12 of the General Assembly resolution 3447 (XXX), containing the Declaration on the Rights of Disabled Persons, organizations of disabled persons may be usefully consulted in all matters regarding the rights of disabled persons. An important objective of the Year is to encourage disabled persons to organize themselves so as to be able to express
their views effectively and to secure their right to participate actively in the work of policy-making bodies and in the management of society in general.

(x) The Year should contribute to the realization of the above-mentioned principles through action-oriented programmes on the local, national, regional and international levels.

(xi) The experience acquired in the course of the Year should lead to the adoption of a long-term programme of action.

7.2. World Programme of Action Concerning Disabled Persons

The purpose of the World Programme of Action concerning Disabled Persons was to promote effective measures for prevention for disability, rehabilitation and the realization of the goals of “full participation” of disabled persons in social life and development, and of “equality”. This means opportunities equal to those of the whole population and an equal share in the improvement in living conditions resulting from social and economic development.

The World Programme of Action, as adopted by the General Assembly, constituted an international long-term plan based on extensive consultation with Governments, organs and bodies within the United Nations System and intergovernmental and non-governmental organizations, including organizations of and for disabled persons. It was designed for all nations. The time-span for its implementation and the choice of items to be implemented as a priority would, however, vary from nation to nation depending upon the existing situation and their resource constraints, levels of socio-economic development, cultural traditions, and their capacity to formulate and implement the actions envisaged in the Programme. It called upon the Member States to urgently initiate national long-term programmes to achieve its objectives.

46 Ibid., para 1
47 Ibid., para 155
48 Ibid., para 86

7.2.1 Prevention

It resolved that a strategy of prevention\textsuperscript{49} is essential for reducing the incidence of impairment, and in this connection, the W.H.O. strategy for Health for all by the Year 2000 through primary healthcare should be given proper attention. The main elements of such a strategy would vary according to a country's state of development. The most important measures for prevention of impairment identified are: avoidance of war; improvement of the educational, economic and social status of the least privileged groups; identification of types of impairment and their causes within defined geographical areas; introduction of specific intervention measures through better nutritional practices, improvement of health services, early detection and diagnosis, pre-natal and post-natal care; proper health care instruction, family planning, legislation and regulations; education regarding environmental hazards; modification of life-styles; the fostering of better informed and strengthened families and communities.

General Assembly, while making proposal for the implementation for the Programme, was of the opinion, that Member States should take appropriate measures for the prevention of impairment and disability and ensure the dissemination of relevant knowledge and technology. Coordinated programmes of prevention, in its view, were needed at all levels of society. They should include:

(i) Community-based primary health care system that reaches all segments of the population, particularly in rural areas and urban slums;

(ii) Effective maternal and child health care and counseling, as well as counseling for family planning and family life;

\textsuperscript{49} Id.
(iii) Education in nutrition and assistance in obtaining a proper diet, especially for mothers and children, including the production and utilization of foods rich in vitamins and other nutrients;

(iv) Immunization against communicable diseases, in line with the objectives of the Expanded Programme of Immunization of the World Health Organization;

(v) A system of early detection and early intervention;

(vi) Safety regulations and training programmes for the prevention of accidents in the home, in the workplace, on the road and in leisure-related activities;

(vii) Adoption of jobs, equipment and the working environment and the provision of occupational health programmes to prevent the generation of occupational disabilities or diseases and their exacerbation;

(viii) Measures to control the imprudent use of medication, drugs, alcohol, tobacco and other stimulants or depressants in order to prevent drug-related disability, and their effect upon unborn children as a result of imprudent consumption of these substances by pregnant women;

(ix) Educational and public health activities that would assist people in attaining life-styles that would provide the maximum defense against the causes of impairment;

(x) Sustained education of the public and of professionals as well as public information campaigns related to disability prevention programmes.

(xi) Adequate training for medical, paramecia and other persons who may be called upon to deal with casualties in emergencies;

(xii) Preventive measures incorporated in the training of rural extension workers to assist in reducing incidence of disabilities;

(xiii) Well-organized vocational training and practical on-the-job training of workers with a view to prevent accidents at work and disabilities of different degrees. Attention should be paid to the fact that outdated technology is often used in developing countries. In many cases, old technology is transferred from industrial countries to developing countries. The old technology, inappropriate for the conditions in developing countries together with
insufficient training and deficient labor protection, contributes to an increased number of accidents at work leading to disabilities.

7.2.2. Rehabilitation

It asserted that in all rehabilitation\textsuperscript{50} efforts, emphasis should be placed on the abilities of the individual, whose integrity and dignity must be respected. Every effort should be to rehabilitate the disabled persons in their families and communities only. Rehabilitation programme should make it possible for the participation of physically disabled persons themselves and family members in case of severely mentally disabled persons, in designing and organizing the services that are considered necessary for them. Rehabilitation usually includes the following types of services:

(i) Early detection, diagnosis and intervention;
(ii) Medical care and treatment;
(iii) Social, psychological and other types of counseling; and assistance;
(iv) Training in self-care activities, including mobility, communication and daily living skills with special provisions as needed e.g., for the hearing impaired, the visually impaired and the mentally retarded;
(v) Provision of technical and mobility aids and other devices;
(vi) Specialized education services;
(vii) Vocational rehabilitation services (including vocational guidance), vocational training, placement in open or sheltered employment;
(viii) Follow up.

7.2.3. Equalization of Opportunities

The programme asserted that in order to achieve the goals\textsuperscript{51} of “full participation and equality”;\textsuperscript{52} rehabilitation measures aimed at the disabled individual are not sufficient. It further asserted that it is largely the environment which determines the effect of impairment or a disability on a person's daily life. A person is handicapped when he or she is denied the opportunities generally available in the community that are necessary for the fundamental

\textsuperscript{50} Id.
\textsuperscript{51} Ibid., pp. 21-23
\textsuperscript{52} This was the keynote theme of the International Year for Disabled Persons - 1981.
elements of living including family life. Education, employment, housing, financial and personal security, participation in social and political groups, religious activity, intimate and sexual relationships, access to public facilities, freedom of movement and the general style of daily living.

It noted that the principle of equal rights for the disabled and non-disabled implies that the needs of each and every individual are of equal importance, that these needs must be made the basis for the planning of societies, and that all resources must be employed in such a way as to ensure, for every individual, equal opportunity for participation. Disability policies should ensure the access of the disabled to all community services. As disabled have equal rights, they also have equal obligations. It is their duty to take part in the building of society. This means, among other things, that young disabled person should be provided with career and vocational opportunities - not early retirement petitions or public assistance.

7.2.3.1. Proposals for the Implementation of the World Programme of Action

The General Assembly was of the view that the implementation\(^{53}\) of the World Programme of Action itself would make a contribution to the development process through the mobilization of all human resources and the full participation of the entire population. But it would require a multi-sectoral and multi-disciplinary global strategy for combined and coordinated policies and actions relevant to the equalization of opportunities of disabled persons, effective rehabilitation services and measures for prevention.

To implement the World Programme of action, in view of the General Assembly, it was considered necessary for Member States:

(a) To plan, organize and finance activities at each level.
(b) To create, through legislation, the necessary legal bases and authority for measures to achieve the objectives;
(c) To ensure opportunities by eliminating barriers to full participation;
(d) To provide rehabilitation services by giving social nutritional, medical, educational and vocational assistance and technical aids to disabled persons;

\(^{53}\)Id.
(e) To establish or mobilize relevant public and private organizations;

(f) To support the establishment and growth of organizations of disabled persons;

(g) To prepare and disseminate information relevant to the issues of the World Programme of Action among all elements of the population, including persons with disabilities and their families;

(h) To promote public education to ensure a broad understanding of the key issues of the World Programme of Action and its implementation;

(i) To facilitate the participation of disabled persons and their organizations in decisions related to the World Programme of Action.

In order to implement the objectives of the World Programme of Action, the proposals included:

(i) Participation of disabled persons in decision-making.

(ii) Prevention of impairment, disability and handicap.

(iii) Rehabilitation services delivered through the following channels:

(iv) Community based Workers;

(v) General facilities providing health, education, welfare and vocational services;

(vi) Other specialized services where the general facilities are unable to provide the necessary services;

(vii) Equalization of opportunities in the following matters:

(viii) Legislation ensuring that disabled persons are granted equal opportunities with other citizens.

(ix) Physical environment accessible to all, including persons with various types of disability.

(x) Income maintenance and social security.

(xi) Education and training which is (i) individualized i.e. based on assessed needs mutually agreed upon by authorities, administrators, parents and disabled students, (ii) locally accessible i.e. within reasonable traveling distance of the pupil’s home or residence, (iii) comprehensive i.e. serving all persons with special needs irrespective of age or degree of disability, and (iv) offering a range of choices.
(xii) Employment.

(xiii) *Recreational activities:* This involves the possibility of using restaurants, cinemas, theatres, libraries, etc., as well as holiday resorts, sport arenas, hotels, beaches and other places for recreation. Member States should take action to remove all obstacles to this effect.

(xiv) *Culture:* the opportunities to utilize their creative, artistic and intellectual potential to the full, not only for their own benefit but also for enrichment of the community. To this end, access to cultural activities should be ensured.

(xv) Religion.

(xvi) Sports activities of disabled persons, *inter alia,* through the provision of adequate facilities and proper organization of these activities.

(xvii) *Community Action:* Arrangements should be made to encourage and facilitate co-operation among local communities and the exchange of information and experience. Each community should designate an appropriate body, where organizations of disabled persons could have an influence, to serve as a focal point of communication and co-ordination to mobilize resources and initiate action.

(xviii) *Staff-training:* The training of community-based workers in the early detection of impairment, the provision of primary assistance and referral to appropriate facilities, and follow-up as well as the training of medical teams and other personnel at referral centers. Member states should ensure that community workers receive, in addition to specialized knowledge and skills, comprehensive information concerning the social, nutritional, medical, educational and vocational needs of disabled persons. Community workers, with adequate training and supervision, can provide most services needed by disabled persons and can be a valuable asset in overcoming personnel shortages.

(xix) *Information and Public Education:* To encourage a public information programme about the rights, contributions and unmet needs of disabled persons. A public information programme should be designed to ensure that the most pertinent information should reach all appropriate segments of population.
addition to the regular media and other normal channels of communication, attention should be given to:

(a) The preparation of special materials to inform disabled persons and their families of the rights, benefits and services available to them and of the steps to be taken to correct failures and abuses in the system. Such material should be available in forms that can be used and understood by people with visual, hearing or other communication limitations;

(b) The preparation of special materials for groups within the population who are not easily reached by normal channels of communication. Such groups may be separated by language, culture, levels of literacy, geographical distance and other factors;

(c) The preparation of pictorial material, audio-visual presentation and guidelines for use by community workers in remote areas and other situations where normal forms of communication may be less effective.

(xx) Research focused on the socio-cultural aspects of disability. This would give a more perceptive understanding of the relations between non-disabled and disabled persons in different cultures. The results of such research would make it possible to propose approaches suited to the realities of human environment. Research should also be encouraged with a view to developing better aids and equipments for disabled persons. Research at the medical, psychological and social levels offers the promise of reducing physical, mental and social disability.

(xxi) Monitoring and Evaluation should be carried out at periodic intervals at the international and regional levels, as well as the national level. The most important criteria for evaluating the World Programme of Action are suggested by the theme of the International Year of Disabled Persons, “Full participation of Equality”.

7.3. International Labor organization Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983
International Labor organization\textsuperscript{54} earlier Recommendation of 1955 is still in force. Nothing that since the adoption of the Vocational Rehabilitation (Disabled) Recommendation, 1955,\textsuperscript{55} significant developments had occurred in the understanding of rehabilitation needs, the scope and organization of rehabilitation services and the law and practice for many members of the questions covered by that Recommendation, and considering that the Year 1981 was declared by United Nations, the International Year of Disabled Persons with the theme “full participation and equality” and that a comprehensive World Programme of Action concerning Disabled Persons was there to realize the goals of “full participation” and “equality” and feeling it appropriate to adopt new international standards on the subject, the International Labor Organization adopted the present Recommendation in 1983, hence supplementing the earlier Recommendation of 1955.

Reminding the Member States the purpose of vocational rehabilitation, as defined in the Recommendation of 1955, as being to enable a disabled person to secure, retain and advance in suitable employment and thereby to further such person's integration and reintegration into the society, the present Recommendation, \textit{inter alia}, covered vocational rehabilitation and employment opportunities,\textsuperscript{56} community participation,\textsuperscript{57} vocational rehabilitation in rural areas,\textsuperscript{58} training of staff,\textsuperscript{59} the contribution of employers' and workers' organizations to the development of vocational rehabilitation services,\textsuperscript{60} the contribution of disabled persons and their organizations to the development of vocational rehabilitation services,\textsuperscript{61} vocational rehabilitation under social security schemes\textsuperscript{62} and co-ordination of policies and programmes concerning vocational rehabilitation with policies and programmes of social and economic development.\textsuperscript{63}

\textsuperscript{55} See Supra Note 8.
\textsuperscript{56} Recommendation of 1983, \textit{op.cit}, part II.
\textsuperscript{57} \textit{Ibid.}, part III
\textsuperscript{58} \textit{Ibid.}, part IV
\textsuperscript{59} \textit{Ibid.}, part V
\textsuperscript{60} \textit{Ibid.}, part VI
\textsuperscript{61} \textit{Ibid.}, part VII
\textsuperscript{62} \textit{Ibid.}, part VIII
\textsuperscript{63} \textit{Ibid.}, part IX
The following contents of the Recommendation are noteworthy:

(1) Vocational rehabilitation measures should be available to all categories of disabled persons.

(2) Measures should be taken to promote employment opportunities for disabled persons who conform to the employment and salary standards applicable to workers generally. Such measures, in addition to those enumerated in Part VII of the Recommendation of 1955, should include:

(a) appropriate measures to create job opportunities in the open labor market, including financial incentives to employers to encourage them to provide training and subsequent employment for disabled persons, as well as to make reasonable adaptations to workplaces, job design, tools, machinery and work organization to facilitate such training and employment;

(b) appropriate government support for the establishment of various types of sheltered employment for disabled persons for whom access to open employment is not practicable;

(c) encouragement of co-operation between sheltered and production workshops on organization and management questions so as to improve the employment situation of their disabled workers and, wherever possible, to help prepare them for employment under normal conditions;

(d) appropriate government support to vocational training, vocational guidance, sheltered employment and placement services for disabled persons run by non-government organizations;

(e) encouragement of the establishment and development of co-operatives by and for disabled persons and, if appropriate, open to workers generally;
appropriate government support for the establishment and development of small-scale industry, co-operative and other types of production workshops by and for disabled persons (and, if appropriate, open to workers generally), provided such workshops meet defined minimum standards;

elimination, by stages if necessary, of physical, communication and architectural barriers and obstacles affecting transport and access to and free movement in premises for the training and employment of disabled persons; appropriate standards should be taken into account for new public buildings and facilities.

whatever possible and appropriate, facilitation of adequate means of transport to and from the places of rehabilitation and work according to the needs of disabled persons;

encouragement of the dissemination of information on examples of actual and successful instances of the integration of disabled persons in employment;

exemption from the levy of internal taxes or other internal charge of any kind imposed at the time of importation or subsequently on specified articles, training materials and equipment required for rehabilitation centers, workshops, employers and disabled persons, and on specified aids and devices required to assist disabled persons in securing and retraining employment;

provision of part-time employment and other job arrangements, in accordance with the capabilities of the individual disabled person for whom full-time employment is not immediately, and may not ever be, practicable;

research and the possible application of its results to various types of disability in order to further the participation of disabled persons in ordinary working life;
(m) Appropriate government support to eliminate the potential for exploitation within the framework of vocational training and sheltered employment and to facilitate transition to the open labor market.

(3) Vocational rehabilitation services should be organized and operated with the fullest possible community participation with the aims of:

(a) Informing disabled persons, and if necessary their families, about their rights and opportunities in the employment field; and

(b) Overcoming prejudice, misinformation and attitude unfavorable to the employment of disabled persons and their integration and reintegration into the society.

(4) Particular efforts should be made to provide mobile vocational rehabilitation services for the disabled persons in rural areas and remote communities, to train workers and to provide loans or tools and materials to help disabled persons in rural communities to establish co-operatives.

(5) All persons involved in the vocational rehabilitation of disabled persons and the development of employment opportunities should be given training or orientation in rehabilitation issues. Appropriate measures should be taken to encourage disabled persons to undergo training as vocational rehabilitation personnel.

(6) Employers' and workers' organizations, together with disabled persons and their organizations should be able to contribute to the formulation of policies concerning the organization and development of vocational rehabilitation services as well as to carry out research and propose legislation in this field.

(7) Wherever possible and appropriate, social security schemes should provide or contribute to the organization, development and financing of training, placement and employment programmes and vocational rehabilitation services for disabled persons and rehabilitation counseling.
(8) Measures should be taken to ensure, as far as practicable, that policies and programmes concerning vocational rehabilitation are coordinated with policies and programmes of social and economic development including scientific research and advance technology.


India was one of the signatories to the resolution of the General Assembly\textsuperscript{64} proclaiming 1981 as the International Year for Disabled Persons. This saddles India with a special responsibility to observe the year in a befitting manner. In the light of the general objectives set out in the resolutions\textsuperscript{65} of the General Assembly for IYDP; India chalked out a National Plan of Action containing some specific objectives\textsuperscript{66} are reproduced below:

(i) To evolve a national policy on the disabled to include educational training, employment, measures to achieve full social integration and protection and guarantees under the law.

(ii) On the basis of this, to lay the foundation of a network of services for the handicapped that reaches the grass root level so that a comprehensive service is eventually provided by preparing a perspective development plan for rehabilitation.

(iii) To initiate in this chain a few practical programmes that would carry immediate and significant benefits to handicapped people themselves.

(iv) To initiate concrete programmes aimed at bringing about the utilization in every possible way, the integration of handicapped people into community. Currently there is a strong tendency to institutionalize handicapped people. This tends to inculcate among the handicapped a sense of dependence which prevents them


\textsuperscript{66} Para 3, \textit{National Plan of Action, Supra Note} 64.
from fully participating in community life even after they leave the protective walls of institutions. It also tends to create a certain amount of aggression leading to maladjustment at work and in other social settings.

(v) To give a positive rural bias to services for the handicapped since in India a great majority of handicapped persons live in rural communities. At present, practically all institutional programmes are located in urban areas. Most handicapped people from rural areas have to migrate to cities or large urban agglomerations in order to secure the benefits of rehabilitation services. This brings in its wake serious problems that result in uprooting of an individual from this native environment.

(vi) To develop a strong national disability prevention programme. Currently, only a national programme for the prevention of blindness is in operation. What is important is to develop and put into operation a comprehensive and pragmatic programme for the prevention of disabilities, where necessary, through legislative sanction, so that whenever needed, social reforms could be brought about to eliminate physical and mental disabilities.

(vii) To prepare a base for research and development through National Institutes of Technology and other bodies so that in the years to come programmes for rehabilitation of the handicapped should be responsive to changes in social or economic climate and to the development of techniques and technologies in the various disciplines having bearing on this field.

(viii) To develop and initiate a planned network of information and publicity services for dissemination of information on new techniques, equipment, programmes for the handicapped and for employers, teachers and social workers. The service should not only disseminate information but stimulate a greater awareness among the handicapped. Campaigns to eradicate social prejudice should form an integral part of the plan.

(ix) To collect on as wide a base as possible all relevant data on the handicapped in the country.
The Government of India appointed a National Committee to consider and finalize the National Plan of Action and to review its implementation from time to time.\(^{67}\) The Committee under the Chairmanship of the then Minister for Education and Social Welfare in its first meeting held on 1st May, 1980 approved the National Plan of Action.\(^{68}\) The Committee was to act as an advisory body to Government of India on the formulation of objectives and programmes of action for the observance of the IYDP and review from time to time the progress in this field.\(^{69}\)

In pursuance of the decision of the National Committee, four working groups were set up to made an in-depth study of various problems concerning the disabled and to suggest remedial measures. The working groups are as follows\(^{70}\):

(a) Early detection, prevention and medical rehabilitation of the disabled (Ministry of Health and Family Welfare).
(b) Employment, open and sheltered (Ministry of Labor).
(c) Educating the disabled child (Ministry of Education).
(d) Legislation (Ministry of Social Welfare).

Institutional Year for disabled persons was formally inaugurated by Late Mrs. Indira Gandhi, the then Prime Minister of India on 5th January, 1981. The third Sunday of March every year is observed as the ‘World Disabled Day’. On this occasion the Ministry of Welfare organizes a function when National Awards are given to Employers of the disabled, Disabled Employees and Self-employed, Placement Officers, Individuals and Institutions.\(^{71}\)

### 7.4.1. Specific Programmes under the Plan

The National Plan of Action, *inter alia*, proposed a number of important activities to be undertaken during the Year - 1981. Among them were an awareness campaign, a new scheme of financial assistance for the purchase of aids and appliances; revision of schemes

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\(^{68}\) *Ibid.* at p. 44

\(^{69}\) *Ibid.*, at p.67

\(^{70}\) *National Plan of Action*, Supra Note 64.

\(^{71}\) For details see, Chapter V at 247-249
of integrated education with 100 per cent assistance from the Government of India; a census to enumerate the disabled persons and organizations of a sample survey to collect data regarding various aspects of disabilities; to increase employment opportunities for the physically handicapped people, blind in particular, to make them economically independent; reservation of vacancies for the physically handicapped persons in Group ‘C’ and Group ‘D’ posts; identification of jobs in Group ‘A’ and Group ‘B’ posts for the physically handicapped persons; to launch a scheme of national wards to best employers of the disabled, best disabled employees and self-employed, placement officers, individuals and institutions, working for rehabilitation of the disabled persons; opening of more special employment exchanges for the handicapped; setting up of 11 rural rehabilitation centers; provision for education, training and rehabilitation of leprosy cured patients etc.\(^\text{72}\)

However, all programmes listed above, aimed at the rehabilitation of the disabled could not be taken up during the Year - 1981. Some of the programmes were taken up during the later years.\(^\text{73}\) The specific programmes and policies announced by the government of India during IYDP are discussed below:

\[(a) \quad \text{Survey}\]

On a request form the Ministry of Social Welfare, Government of India, during the IYDP-1981, the National Sample Survey Organization conducted a country-wide\(^\text{74}\) sample survey on disabled persons suitably designed to shut light on the reasonably accurate estimates of the incidence and prevalence of disability, the magnitude of the problem of disability, probable causes thereof and the extent of treatment taken. Conducted in July-December 1981, it is the first large scale national survey of its kind undertaken in the country.

The National Sample Survey Organization had collected information on certain types of physical disabilities in the past also.\(^\text{75}\) However, the earlier surveys sought to

\(^{72}\) National Plan of Action, Supra Note 64.

\(^{73}\) For details of the various schemes launched later on by Government of India for the rehabilitation of the disabled, see, Chapter V.

\(^{74}\) The Survey covered almost the entire area of the country, 5409 sample villages and 3652 urban blocks. About 56,000 households in urban areas and 82,000 in rural areas were surveyed. All the states and 5 Union Territories participated in the Survey. See, Government of India, Ministry of Social Welfare, A Summary of the Report on Survey of Disabled Persons, 10th April, 1983.

enumerate disabled population while collecting data on other topics. Consequently there was little scope for collecting detailed and comprehensive information. The 1981 general census had collected information on totally blind, totally crippled and totally dumb persons but did not cover other disabilities.

Therefore, it was decide to focus exclusively on a comprehensive survey on disabled persons in the IYDP. Disability was defined in a careful and graded way by a group of experts so as to minimize investigator bias and respondent bias in the data. Though the actual survey was carried out by non-medical investigators using the household interview method, the organization had enlisted the active cooperation of eminent medical experts in formulating the concepts and definitions for the field staff as well as in training the investigators.\textsuperscript{76}

\textit{(b) Findings of the Survey}

The survey arrived at an estimate of 12 million persons having at least one or the other disability which constituted about 1.8\% of total population of 680 million. About 10\% of these physically disabled were reported to have more than one type of physical disability. Considering each type of disability separately, those having loco motor disabilities constituted the maximum number (5.43 million) followed by those with visual disabilities (3.47 million) and hearing disabilities (3.02 million) and speech disability by type of disability and their rural, urban and sex-wise breakup in reproduced in the table below:

\begin{table}
\centering
\begin{tabular}{|l|c|c|c|c|c|}
\hline
Type of Disability & Total & Rural & Urban & Male & Female \\
\hline
Loco motor & 5427\textsuperscript{77} & 4342 & 1085 & 3493 & 1934 \\
& (80.00\%) & (19.99\%) & (64.36\%) & (31.64\%) \\
Visual & 3474\textsuperscript{78} & 2908 & 566 & 1442 & 2032 \\
& (83.71\%) & (16.29\%) & (41.51\%) & (58.49\%) \\
\hline
\end{tabular}
\end{table}


\textsuperscript{77} This number has gone up to 8044 in 47th round (July-December 1991) conducted by National Sample Survey Organization, Cited in Government of India, Minister of Welfare, \textit{Annual Report}, 1994-95 at p. 66.

\textsuperscript{78} \textit{Ibid.}, This number, too, has gone up to 3626
It may be seen from the above that (i) prevalence of disability was more in the rural areas (about 81%) than in urban area (about 19%), (ii) that is more among males (57%) than among females (43%).

The Survey also estimated the number of persons who became and not born disabled during the Year preceding the date of the survey as follows:

<table>
<thead>
<tr>
<th>Type of Disability</th>
<th>Total</th>
<th>Rural</th>
<th>Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loco motor</td>
<td>366</td>
<td>279</td>
<td>87</td>
</tr>
<tr>
<td>Visual</td>
<td>249</td>
<td>201</td>
<td>48</td>
</tr>
<tr>
<td>Hearing</td>
<td>106</td>
<td>85</td>
<td>21</td>
</tr>
<tr>
<td>Speech</td>
<td>25</td>
<td>18</td>
<td>7</td>
</tr>
</tbody>
</table>

It may be seen from the above that the incidence of the disability in the preceding year constituted 6.4%, 6.9%, 3.4%, 1.3% in the rural areas and 8.0%, 8.5%, 3.9%, 1.8% in the urban areas respectively of the total prevalence of loco motor, visual, hearing and speech disabilities.

The survey also came up with separate prevalent rates in respect of congenital cases (disability from birth) for visual and communication disabilities. In respect of the visual disabilities, they constituted 5% and 8% respectively in rural and urban areas of the total number of visually handicapped whereas in the case of hearing disability they constituted 30% in the aural and 28% in urban areas. For the speech disability, the
corresponding proportion is 77% and 67% in the rural and urban areas. The proportion of congenital cases was seen to be less for all types of disabilities for females as compared to males, except for speech disability.

In the rural sector, the higher prevalence rate (per 100,000 population) was reported from Andhra Pradesh for visual disability (769), Orissa for hearing disability (842), Jammu and Kashmir for speech disability (523) and Punjab for loco motor disability (1400). The lowest figure was noticed in Assam for visual disability (190), Madhya Pradesh for both hearing disability (314) and speech disability (174) and Assam for loco motor disability (271).

For the urban sector, the highest figure was obtained from Tamil Nadu (visual disability 637 and disability 728) and Haryana (speech disability 625 and loco motor disability 973). The lowest figures were from Jammu and Kashmir (visual disability 141), Madhya Pradesh (hearing disability 205 and speech disability 161) and Assam (loco motor disability 296).

7.4.2. **Supplying Aids and Appliances**

The Ministry of Social Welfare launched a scheme during the IYDP\textsuperscript{82} for supply of aids and appliances to disabled persons.\textsuperscript{83} The following persons were eligible for assistance under the scheme:

(a) Indian citizens of any age and sex.

(b) Persons who were certified to be disabled by a registered medical practitioner.

(c) Person who were employed / self-employed or getting pensions and whose average monthly income from all sources did not exceed Rs. 1500/-. 

(d) In case of dependents, the income of parents / guardian did not exceed Rs. 1500/-. 

\textsuperscript{82} For revised scheme see, Chapter V at 240-242.

Persons who had not received assistance from the Government Local Bodies and Non-Official Organizations during the previous two years for the same purpose. However, for children below 12 Years of age this limit was one year.

A person with an income up to Rs. 750/- per month would get aids and appliances free of cast and a person above Rs. 750/- to Rs. 1500/- would get an aid up to 50 percent. An aid or appliance costing between Rs. 25/- and Rs. 1500/- could be given under this scheme. Aid was to be given only at a few recognized centers. The scheme also had provision to give fitting charges, travel expense, the cost of boarding and lodging both of the patient and the escort accompanying the patient.\textsuperscript{84}

7.4.2.1. Education

The day-to-day problems of handicapped children vary with the nature of handicap. Therefore, it is not possible to undertake a unitary programme of education and training for all of them. In the past, the practice was to send handicapped children to special schools which were limited in number. This deprived the disabled child of all the interaction with the community at large, which is one of the important requisites for his / her complete growth. Besides, looking into the magnitude of the problem, neither it is possible nor desirable to impart education and training to them through special institutions.

Integration of the disabled children in ordinary schools has a distinct advantage in the sense that the disabled child remains with family and is saved from the pernicious consequences arising from separation from his family in the early impressionable years of his life. Government of India also realized the same thing when it said that institutionalization “tends to inculcate among the handicapped a sense of dependence which prevents them from fully participating in community life even after they leave the protective walls of institutions. It also tends to create a certain amount of aggression leading to maladjustment at work and in other social settings” \textsuperscript{85}

\textsuperscript{84} Ibid., at p. 24
\textsuperscript{85} Para 5(iv) National Plan of Action, Supra Note 64.
The need for integration of the disabled children in regular schools was, for the first time, emphasized by National Policy of Education, 1968 and accordingly a scheme was launched in 1974 by the then Department of Social Welfare. This scheme was revised during IYDP and was transferred to the Department of Education since 1982. The scheme is still in operation.

The handicapped children are provided the following allowances and facilities under the scheme:

(a) Books and stationery allowances of Rs. 400/- per annum.
(b) Uniform allowance of Rs. 50/- per annum.
(c) Transport allowance of Rs. 50/- per month (If a disabled child admitted under the scheme resides in a hostel of the school within the school premises, no transportation charges would be admissible).
(d) Reader allowances of Rs. 50/- per month in case of blind child after class v.
(e) Escort allowance for surely handicapped children with lower extremity disability @ Rs. 75/- per month.
(f) One special teacher for 8 to 10 children.
(g) Special pay of 15% to teachers in urban areas and 20 percent in rural areas.
(h) Actual cost of equipment subject to a maximum of Rs. 2000/- per student for a period of five years.

Apart from this scheme, Central Government exempted Braille paper from the whole of duty of excise leviable thereon subject to the condition that such paper was supplied direct to a school for the blind or to a Braille press against an indent placed by the National Institute for Visually Handicapped, Dehradun.

7.4.2.2. Economic Rehabilitation

87 Government of India, Ministry of Welfare, Programmes and Concessions to the Disabled Persons through the Central Government (Government of India Publication, Delhi, 1995) at p. 23
88 Ibid. at p.55
89 Government of India, Ministry of Finance, Department of Revenue, No. 28/81, Ist March, 1981.
Economic rehabilitation is one of the most important components of social integration of the physically handicapped persons. As per its commitment at the time of IYDP, government of India launched various schemes, granting concessions / priority / assistance to the disabled in case of employment / self-employment.

In the first step towards economic rehabilitation, the Government of India reserved three percent of the vacancies for different categories of the physically handicapped (1% each for the blind, the deaf and the orthopedically handicapped) in all Government Departments and Government Undertakings in Group ‘C’ and Group ‘D’ posts / services. The list of the jobs which could be performed by various categories of physically handicapped persons without loss of productivity was circulated to all the Ministries / Departments for information and guidance. Ministries / Departments were further to identify jobs which could be entrusted entirely to handicapped persons including the blind persons without loss of productivity. Action was very prompt and Government of India, on the eve of formal inauguration of IYDP, came out with a list, of course small, of jobs identified exclusively for the blind and the partially blind persons. In a separate circular, Government of India, directed that, as far as possible, the entire work of rescanning of chairs in Government of India offices should be done by the blind persons and where the volume of work is justified a full time Recanted, the question of creation of posts in suitable scale could be considered.

Another strategy adopted during IYDP by the government was to encourage self-employment and for that five vocational rehabilitation centers (VRC) were sanctioned for 1981-82, three more special employment exchanges raising their number from 18 to 21, were opened. Scheme of advancing a sum of Rs. 5000/- as term loan

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Vide para 3(i) (ii) National Plan of Action, Supra Note 64.
92 Government of India, Ministry of Home Affairs, Department of Personnel and Administrative Reforms, O.M. No. 39016/24/80 Estt. - (c) dated 8th December, 1980.
93 Ibid.
94 5th January, 1981.
95 For details, see, Government of India, Ministry of Home Affairs, Department of Personnel and Administrative Reforms O.M. No. 39016/27/80-Esst. (c) - I dated 5th January, 1981.
96 Government of India, Ministry of Home Affairs, Department of Personnel and Administrative Reforms, OM No. 39016/27/80 Estt. (c) - II dated 9th January, 1981.
and Rs. 1500/- as working loan from the bank at a nominal rate of interest was made available to disabled persons in low income brackets.\(^{98}\)

Besides this, an already existing scheme was enlarged in its scope of the inclusion of a rural component, attached to the VRC's at Madras, Bombay, Calcutta, Ludhiana and Kanpur. Eleven rehabilitation extension centers located in rural blocks were sanctioned. This was aimed at helping in the evaluation and training of the rural disabled and tries to find placement for them in the rural setting itself.\(^{99}\)

7.4.2.3. Awareness Though Mass Media

“\(^{100}\)To develop and initiate a planned network of information and publicity\(^{100}\) in order to “stimulate a greater awareness among handicapped\(^{101}\) and “to eradicate social prejudice\(^{102}\) were the high promises made to the disabled by the government during IYDP in the form of sustained National Plan of Action,\(^{103}\) integrated with the national development plans for the decade of 1980's. These promises at the national level were consequent to and in consonance with one of the objectives at the international level of “educating and informing the public of the rights of disabled persons to participate in and contribute to various aspects of economic, social and political life”.\(^{104}\)

The mass-media have an important role in creating necessary climate for a proper understanding of the problems of the handicapped and in accelerating action to bring them in the mainstream of national life. What is needed is to arouse the conscience of the community and to remove the barriers of prejudices and misunderstandings against the disabled persons.\(^{105}\)

“What is essential is to create public consciousness, not in the sense of pity but compassion which is deeper and which leads to positive action, this awareness and

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\(^{99}\) Ibid., at p. 98
\(^{100}\) Para 3 (viii) of National Plan of Action, Supra Note 64.
\(^{101}\) Ibid., at p.34
\(^{102}\) Ibid., at p. 32
\(^{103}\) Supra Note 64.
\(^{104}\) Resolution 31/123 dated 16th December, 1976 of the General Assembly proclaiming 1981 as the International Year for Disabled Persons, Supra Note 35.
\(^{105}\) Sathe, Vasant (1981): The Union Minister of India, National Herald, 6th January.
concern should be created from the earliest stage of education and those should form a part of our text-books,” was the meaningful message by the then Prime Minister of India, while formally inaugurating IYDP in India on 5th January 1981.

The proclamation of the Year 1981 as International Year for Disabled Persons and the wide coverage thereof itself was an attempt to generate awareness among the disabled of their rights and public and the governments of their duties towards the disabled. This movement world-wide trickled down to India also. Special programmes to educate the public and to highlight the potentials, plight and achievements of the disabled in different fields were broadcast both by the All India Radio and Doordarshan. Expert groups and social workers were invited to talk on the causes of disability, its social and legal implications and the remedies. To inspire the disabled persons, interviews with persons who had overcome their handicaps and found a place under the sun were broadcast.

The Films Division of Ministry of Information and Broadcasting also produced some documentaries featuring the rehabilitation and employment for the physically handicapped; training and skills and employment potential of the blind in various sectors of national economy; and rehabilitation of physically handicapped in rural areas. Cinema Halls started showing such documentaries to their clients before every show of the feature film. Weekly newsreels also gave a wide coverage to the theme of IYDP.

Sustained publicity was also provided by Directorate of Audio-Visual Publicity in the Ministry of Information and Broadcasting in the form of various posters, brochures and folders highlighting the theme of IYDP in English, Hindi and regional languages.

The newspapers and journals published daily, weekly, fortnightly or monthly, also showed a keen interest in the activities of IYDP and generating public opinion in favor of the handicapped. Thus on witnessed publishing of stories, features, articles and useful information on various aspects of the problem.

But unfortunately, all such efforts by the mass-media to educate and bring out general awareness seemed to have gone down the drain. The lethargic, an indifferent bureaucracy and stubborn politicians seemed to have refused to budge. Disabled are still in distress. Handicapped still suffer from many handicaps. In a way, the bureaucracy seemed to have created more hindrances in the way of disabled because in the absence of all the promises and hopes shown by its, the non-governmental organizations, social workers and the handicapped themselves would have taken more initiative to improve their lot. No wonder then, the experts in the field have started talking in terms of yielding more roles to the families of the disabled than the institutions (run by the government).

7.4.2.4. Other Programmes

(a) The Ministry of Railways enhanced the rail travel concession from 15 per cent to 75 per cent in case of first class and second class journey to disabled persons and their escorts also, with effect from 1st April, 1981.107 Children's Push Chairs, wheel-chairs and perambulators, collapsible or non-collapsible belonging to all orthopedically handicapped persons when taken in the same compartment by which the owners were traveling in all classes of accommodation were carried free.108

(b) The Posts and Telegraphs Department offered scholarships to over 100 disabled children of the employees during the year 1981. These were in addition to the scholarships offered by the Department to the children. Of its employees. The value of scholarships for education and training of physically and mentally retarded children was Rs. 20 per month for a period for not exceeding 5 Years. In addition to scholarships the handicapped children, who were not able to walk themselves, were also to get Rs. 20/- per month as transport charges.109

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108 Ibid., at p. 88
The Department also opened 200 public call offices at important railway stations, bus-terminals, public parks etc. which would essentially be manned by physically handicapped persons. Out of tariffs that were to be charged at the rate of 50 paisa for a local call from the public, the physically handicapped were to pay to the Department at the rate of 30 paisa per call. The Department provided the necessary equipment like PCO booths, cash chests, telephone instrument etc.\textsuperscript{110}

This scheme, at present has been extended to educate unemployed physically handicapped persons for allotment of STD and PCO.\textsuperscript{111}

The Department issued a special stamp on April 20, 1981 to mark the International Year for Disabled Persons.

(c) Facilities, like out of - turn allotment of general pool accommodation to physically handicapped employees were given by the Directorate of Estate in the Ministry of Works and Housing. The Special Accommodation Committee recommended allotment to 30 handicapped employees in the Year 1981.\textsuperscript{112}

(d) The Indian Airlines launched a scheme of educational scholarships to the employees' disabled wards ranging between Rs. 150 to Rs. 540 depending upon the class in which he / she were studying.\textsuperscript{113}

7.5. \textit{Adoption of the National Plan of Action by the States}

Keeping pace with the Central Government, in observing IYDP, the State Government within their limited resources and restraints, launched numerous schemes and programmes for achieving the goal of “full participation” by the disabled. Almost all the State Government submitted the reports of their achievements, schemes already in operation and under consideration for future, in this regard to the Planning Commission in the Union Government which published them.

\textsuperscript{110} Ibid., at p. 22
\textsuperscript{112} Annual Report, 1980-81, \textit{op.cit}
\textsuperscript{113} Ibid., at p.25
In the following text, an attempt has been made to enumerate some important schemes which had been launched or in the process of operation at the time of such publication\textsuperscript{114} by the Planning Commission.

7.5.1. Himachal Pradesh

Himachal Pradesh Government set-up a 21-member State Board for the relief and rehabilitation of disabled persons with the then Chief Minister as its Chairman. The Committee was to formulate and review programmes aimed at their welfare both in government and voluntary agency fields.

The government also decided to raise reservation of jobs for handicapped persons in State Government services from one percent to three percent during IYDP. All departments of the government were directed to appoint at least one handicapped person during the Year. Simultaneously all public and private sector units were advised to employ one handicapped person for every 15 employees in the units.

All the eligible handicapped persons in the State were covered under Disability Relief Allowance and a monthly grant of Rs. 50/- were to be given to them to enable them to earn livelihood. Artificial limbs were to be supplied free to those with a monthly income of less than Rs. 300/-, those in Rs. 301-600/- income bracket were to get 50 percent subsidy.

On the training side, a Vocational Rehabilitation Centre was proposed to be set up by 1982. The Centre was to impart training for posts suitable to handicapped persons. It was also decided to reserve 5 per cent seats in Girls Industrial Training Institute.

The H.P. Road Transport Corporation started giving free travel concession to handicapped persons. It was also decided to start a Home for Physically Handicapped Persons at Sunder agar with 50 beds costing Rs. 25 Lakh.

7.5.2. Tamil Nadu

Tamil Nadu government emphasized on the economic rehabilitation of the disabled during IYDP. Two important schemes for this were launched by the government. One of the schemes sought to assist the handicapped for setting up of stalls at different places in the State by arranging load assistance from Banks and with a governmental subsidy of Rs. 500/- to each handicapped beneficiary. The scheme was aimed to self-employee 1000 handicapped persons. As per the other scheme of economic rehabilitation already in operation, each trained handicapped, registered with employment exchange, was placed as an apprentice in an industrial establishment on Rs. 150/- per month as stipend during the period of one year apprenticeship and the employer was to absorb the candidate on completion of apprenticeship. Upto 1981, 250 persons had been benefited under the scheme. During IYDP, the government aimed to place 1500 trained handicapped in suitable employment under the special apprenticeship programme.

Free bus passes were given to the handicapped in buses of Transport Corporation in Madras.

The Government also felt that a separate advisory set-up was necessary to provide guidance on the problems of the handicapped. So a State Board for Handicapped was created under the administrative control of the Director of Social Welfare.

7.5.3. Meghalaya

The Department of Social Welfare in Meghalaya launched the following schemes for the welfare of the handicapped:

1. Financial assistance to be given for the purchase of appliances, artificial limbs, crutches, tricycles, hearing aids etc.

2. Scholarships at school / college level, to the physically handicapped persons.

3. Financial assistance to the needy physically handicapped persons for opening small shops.
(4) A survey at the state level to find out the population of different types of disabled persons and their problems so as to enable the state government to plan effective programmes for them.

(5) Assistance to be given to physically handicapped persons for vocational training and self-employment.

(6) Seminars / Workshops on special problems of the handicapped were to be organized.

(7) Candidates were to be trained in physiotherapy and occupational therapy (Diploma Courses).

7.5.4. Sikkim

As a first step to help the blind people of the state, the Government of Sikkim proposed to start a training-cum-production centre in bamboo works in South Sikkim. Government was to spend Rs. 20,000/- to Rs. 35,000/- as recurring expenditure initially on this scheme. The government also launched schemes like candle-making and training in manufacture of light engineering work.

During IYDP, the State Government allowed the crippled, the infirm and the blind with the helper to travel in the government-run buses free of cost. The government also proposed to supply cattle and other domestic animals to the poor and needy handicapped persons.

The government also conducted a survey of disabled persons with various types of disabilities and the report was released by August, 1981 by the Census Department, Government of India (Sikkim Branch). The government also proposed to conduct a scientific survey of the disabled persons covering bio-data and family background, socio-economic adjustment, attitude of the family and community towards the disabled persons etc.

The Social Welfare Department planned to take the following measures for training and rehabilitation of the handicapped people:
(1) Opening of sheltered workshop at South Sikkim where initially about a dozen handicapped persons were to be engaged. Work was to begin with cane and bamboo and light engineering and other small scale trade.

(2) Opening a school for the blind.

(3) Granting stipend to the blind, the deaf and dumb etc. for their education at institutions outside Sikkim.

(4) Granting stipend and other facilities to the extremely poor handicapped children for their education.

(5) Grant of text books on subsidy.

(6) Free transport facilities to the handicapped.

(7) Reservation in jobs for the handicapped.

(8) Free supply of prosthetic equipments to the handicapped.

7.5.5. **Andaman and Nicobar**

At the inaugural function of the IYDP, 30 handicapped persons were given financial assistance of Rs. 500/- each seeking self-employment.

A sample survey was conducted to identify various categories of handicapped persons in the territory. A special cell was set up in the Directorate for speedy and effective implementation of various schemes for the handicapped. Incentives like scholarships from I class onwards, free uniforms, free books, free bus pass, free aid and gadgets were to be given to the handicapped. Adult handicapped persons were to get financial assistance for self-employment, purchase of aids, artificial limbs. Three percent vacancies in Group ‘C’ and Group ‘D’ posts were reserved for handicapped persons.

7.5.6. **Goa, Daman and Diu**

A state-level committee for IYDP was set up in Goa, Daman and Diu to formulate a plan of action for the welfare of the disabled. A survey was carried out on physically handicapped persons so as to assess the magnitude of their problems. A number of schemes were launched for the welfare of the handicapped persons, viz., Old Age Pension Scheme, Financial Assistance to physically handicapped persons for undertaking gainful employment, purchase and fitting of mobility aids, subsidy on fuel to owners of mortised
vehicles for transport from the place of duty to residence, awards to outstanding employers of the physically handicapped, three percent reservation in group ‘C’ and group ‘D’ posts for physically handicapped persons in all government departments, transport allowance of Rs. 50/- per month, books and stationery allowances of Rs. 400/- per annum, reader allowance of Rs. 50/- per month in case of blind students and escort allowance of Rs. 75/- per month in case of severely handicapped children.

7.5.7. **Lakshadweep**

The Administration of the Union Territory of Lakshadweep formulated the following programmes for the observance of IYDP:

1. Organizing public meetings, seminars, cultural competitions.
2. Conducting of exhibitions in all islands depicting various aspects of IYDP.
3. Publication of a souvenir.
5. To impart training to the disabled persons from the training institutions for such persons on mainland and give financial assistance to them on completion of their training to start production centers in the Islands. Provision of Rs. 50,000/- and 2.50 lakhs was made in the Annual Plan 1982-83 and Five - Year Plan 1980-85 respectively for these programmes.

Besides these, the Administration also launched two more programmes for the welfare of the handicapped.

1. Financial assistance to handicapped persons for purchasing artificial limbs.
2. Payment of pension at the rate of Rs. 60/- per month to physically artificial limbs.

7.5.8. **Andhra Pradesh**

As a first step in the direction of welfare of the disabled, the A.P., Government enhanced the budget provision for the Financial Year 1981-82 to Rs. 150 lakhs, a six-
fold increase over the previous year. Around one crore rupees were spend in the Year of the Disabled on various welfare measures for the handicapped in the State.

A premier step in this direction was the formation of “Handicapped Persons Co-operative Finance Corporation” in the State with substantial financial support from the State Government. The Corporation was also to draw funds from Banks and the Life Insurance Corporation to multiply its resources for the welfare of the disabled.

The already existing 3% reservation policy was extended for another 10 Years. Old-age pension provided to destitute in the state was extended to the aged among the physically handicapped and disabled. Extensive survey was carried out to identify the disabled living even in remote villages to provide financial aid/other assistance. Arrangements were made to provide hearing aids, wheel-chairs, tricycles and other aids to them.

A scheme was already there to grant scholarships ranging from Rs. 40/- to Rs. 125/- per month offered from 9th class onwards. During IYDP, this facility was extended to classes below ninth also. In another scheme, provision was to provide free transport facility to all the disabled students, from their homes to schools and back at government cost.

In addition to the above many more welfare programmes were tied up with the social welfare department in the state so that the benefit reached up to the village level. An amount of Rs. 2.30 Lakhs was kept at the disposal of each District Social Welfare Officer for supply of aids like artificial limbs, hearing aids, free of cost for the disabled living in rural areas. An amount of Rs. 17.79 Lakhs was set apart and released to the district collectors for providing similar assistance to the needy. Under a separate scheme, an amount of Rs. 11.50 Lakhs was apportioned to be offered to disabled as marginal money to enable them to raise the necessary finances from the banking institutions for economic support schemes. In another scheme the ‘Scheduled Castes, Background Classes and Scheduled Tribes Finance Corporation released an amount of Rs. 30 Lakhs to assist the physically handicapped to set up self-employment ventures.
7.5.9. Kerala

The observance of the IYDP started in Kerala with the inauguration of two projects for the welfare of the physically handicapped under the auspices of the Union Labour Ministry's Vocational Rehabilitation Centre in Trivandrum. These projects were:

(1) Envelope Manufacturing Unit sponsored by the Kerala Women's Council; and

(2) An Amber Charkha Unit in collaboration with the Khadi and Village Industries Board.

The Kerala government also reserved 3 percent of class III and Class IV posts in Government Services for the disabled viz., one per cent each for the blind, the deaf and the orthopedically handicapped. By another decision of the government, disabled persons who possessed and used their own cars, scooters, motor-cycles or three-wheelers were exempted from payment of road tax for one year.

In order to promote employment opportunities for the disabled in public service, the government relaxed age limit and allowed grace marks in competitive examinations conducted by the Public Service Commission. Regarding job opportunities, the State Government evolved a scheme of giving financial assistance to the disabled for undertaking useful trade or vocation of their own choice. By another scheme, handicapped women whose annual income was below Rs. 1800/- were to be given financial assistance to the tune of Rs. 500/- each. Voluntary organizations coming forward to start production units in the aid of the disabled were to get financial assistance up to Rs. 10,000/-.

The scheme taken up by the Kerala Telecommunication Circle is noteworthy. They launched a programme of opening public call offices in busy localities like bus stands, railway stations and hospitals throughout the State to be manned by the disabled persons.
7.5.10. Madhya Pradesh

Several welfare measures were taken by the M.P. Government during IYDP. The basic object of these efforts according to the then Chief Minister, was to provide them meaningful assistance in such a manner that the disabled shed off their inferiority complex, could lead a normal life and become active members in the development efforts.

The government decided to bear the full cost of providing artificial limbs to the handicapped. The rural handicapped students were provided facilities for obtaining education in the general schools and boarding arrangements. Homes at two places were to be set up in the State for the welfare of the mentally retarded. Employment, rehabilitation and occupation services were started in several places of the State with the assistance of voluntary and charitable institutions to enable the handicapped to set up their own ventures.

A major decision of the state government was the “special security pension scheme” which came into effect from the Republic Day, 1981, was to benefit the disabled living in rural areas as well.

7.5.11. Assam

The Assam government, at the very beginning of the Year of the disabled took over the blind school at Jorhat. A scheme was launched to supply free prosthetic aids and grant scholarships to physically handicapped persons. A school at Gauhati for the mentally handicapped children was set up at the cost for Rs. One Lakh. In addition, the Assam State Social Welfare Advisory Board established a Vocational Rehabilitation Centre for the Disabled in the State.

A State-level committee was set up to guide and formulate suitable policies for successful implementation of different schemes and programmes already in hand during IYDP. The State Social Welfare Department started a programme which included setting up of survey unit for collection of statistical information on physically handicapped, a special cell to be attached to Social Welfare Directorate, readers' allowance to disabled, escort allowances, grants-in-aid to institutions working for the
upliftment of disabled persons and development of sheltered workshop for the blind and training of teachers.

7.5.12. Delhi

In the year 1981, the following schemes were formulated and follow-up action was being taken by the IYDP committee:

(1) Expansion of scheme of financial assistance to socially and physically handicapped persons.
(2) Nursery / Primary education for the deaf.
(3) Publicity and propaganda.
(4) Strengthening of teachers training unit at Government Lady Neyce School for the Deaf.
(5) Better pay scales of the teachers for the blind, the deaf and dumb and the mentally retarded.
(6) Residential institution for the orthopedically handicapped.
(7) Institution for severally / profoundly mentally retarded children and adults.
(8) Increase in the rate of stipend to physically handicapped students up to 8th standard.
(9) Grant-in-aid to voluntary institutions for the welfare of physically handicapped.

The budget provision for the above-mentioned scheme was Rs. 14, 80,000/- for the Year 1981-82.

In addition to this, the Delhi Municipal Corporation introduced a special loan scheme for physically handicapped persons during IYDP. Out of the total 7 schemes with the Corporation, 3 were for the benefit of unemployed persons from the weaker sections and the remaining for physically handicapped, ex-servicemen and technically qualified unemployed, ex-servicemen and technically qualified unemployed. By September, 1981 the Corporation had sanctioned loans amounting to Rs. 42.78 crores at 2,110 units within the Union Territory of Delhi.115

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115 Times of India, 4 November, 1981.
7.5.13. Orissa

The state level committee on IYDP decided to establish: (a) four vocational training centers-cum-sheltered workshops in the state on zonal basis. For this purpose, the State Government gave grant-in-aid to the tune of Rs. 85,000 to the Orissa State Council for Child Welfare, (b) a Braille press to meet the requirements of books for the blind, (c) more integrated units to meet the educational needs of handicapped children, especially in rural areas. It was also decided to propagate measures for the prevention of disability.

The central scheme for integrated education was implemented by the State Government which opened nine integrated units at primary level with 130 beneficiaries up to July, 1981.

The State Government reserved three percent of vacancies in its services for the disabled. Relaxation of age, marks and other qualifications, was allowed in their case. The blind students were given 50 percent concession in Orissa State Transport buses. A conveyance allowance was given to the blind and orthopaedically handicapped government employees. A scheme for special aids to the handicapped students and non-students, such as, hearing-aids, prosthetic and orthotic aids was also introduced.

7.5.14. Manipur

As per the National Plan of Action for IYDP, the Manipur State drew up a separate State Plan for implementation of various schemes envisaged therein. The State Government constituted a 15-member committee with four co-opted members for implementing the IYDP programmes.

The Central Scheme for integrated school was implemented by the State Government. A sum of Rs. 50,000/- was earmarked in the budget for 1981-82 for the purpose. The State Government arranged to extend recurring financial assistance to educational institutions working for the handicapped persons, covering both government mental and voluntary organizations, both in the valley and the hills.
Further, proper arrangements for economic and social rehabilitation of the disabled persons were made by providing artificial limbs, white cane, wheel-chair, exercise cycles etc. The state committee decided to promote and establish sheltered workshops for multiple handicapped persons, providing financial assistance and to set up model workshops in all the districts of the state.

The state government also extended the machinery for inspection and supervision of activities for voluntary organization in the field. A state-level committee was set up to extend assistance to the disabled persons in the field of agriculture, poultry farming, piggery, animal husbandry and cottage industries.

7.5.15. West Bengal

In the beginning of the IYDP, a seminar was organized by State Welfare Department. The Seminar surveyed the problems of the disabled, broadly classified as the blind, the deaf and dumb; orthopaedically handicapped and mentally retarded. It suggested a four-stage programme of action: prevention, cure and remedy; education and training; and rehabilitation.

To begin with in activities, a Board was set up to look after the welfare of the disabled. A scheme was introduced for an extensive publicity campaign through such media as films to educate the public on how to prevent disablement. As a preventive measure, a large-scale child nutrition project was implemented. Under another scheme, different aids and equipment like hearing-aids, artificial limbs and wheel-chairs were given free to orthopedically handicapped, the blind, and the deaf and dumb persons belonging to families with income up to Rs. 500/- a month. Scholarships were awarded to physically handicapped students up to 16 years age studying below class IX.

The state government also decided to open a big vocational training centre in Calcutta during IYDP to provide greater opportunities to the disabled to get suitable vocational training to be able to make an independent living. The State Government also reserved two per cent vacancies in government establishments for the physically handicapped persons.
Under another scheme on economic rehabilitation, financial assistance to a limit of Rs. 1,000/- was given to each disabled person for such purposes as setting up cottage or small-scale industrial units, purchasing agricultural or small-scale industrial units, purchasing agricultural or small-scale industrial implements, setting up poultry, dairy, bee-keeping or piggery farms or for perusing a vocation or trade that would help the beneficiary in his economic rehabilitation.

7.5.16. Maharashtra

To help the disabled in getting employment, the Maharashtra government, reserved three per cent of class III and Class IV vacancies in government offices, public sector undertakings and local bodies. The age limit for employment was relaxed up to 45 years for the disabled. Age relaxation upto 5 years was also given to those appearing for the competitive examinations of the Public Services Commission.

In order to make a disabled self-employed monetary grant up to Rs. 1000/- was given to him through the Director of Social Welfare. As an experimental measure 4 multi-purpose centers were set up where education, training and medical help were to be given to the blind, the deaf and dumb, and other disabled under one roof. Trained teachers were appointed to look after different types of disabled. Specialized medical help was also made available in these centers.

7.5.17. Bihar

The State Government proposed to reserve three percent of vacancies for the disabled. It also proposed to reserve three percent vacancies for nomination of disabled persons in college and university-level classes. A Campaign of registering disabled persons at the block-level was launched in January, 1981.

The Union social Welfare Ministry sanctioned the first installment of Rs. 10 Lakhs as grants for 1981-82 to Bihar State Branch of the Indian Red Cross Society to make available artificial limbs / equipments to the disabled persons.
Administrative approval was accorded for opening a Braille press-cum-training centre at Dhanbad for which an amount of Rs. 8.50 Lakhs was sanctioned in the first stage.

7.6. To Sum Up

Thus, we see that the growing international concern for the disabled manifested itself in the form of many a declaration. The efforts made at a smaller level during the league period kept simmering and started burning bright when the United Nations took over. Such concern and efforts kept snowballing and seem to have crystallized in a visibly concrete form when 1981 was declared as International Year for the Disabled Persons (IYDP). This, in turn, provided a big stimulus for the rehabilitation of the disabled all over the world. The developing country like India too was roused and got rid of inertia and sluggishness, once they felt that they would be under the watchful eyes of international community. The central government did stir into action and tried to goad the states and to some extent succeeded in making them budge albeit half-heartedly in some cases. Since the IYDP, the working philosophy and international awareness and efforts seem to have started trickling down to the local levels slowly.

Credit must be given to the UN policy-makers who seem to have accurately perceived the problem and given appropriate guidelines to the member states so as to enable the efforts to be orchestrated smoothly and efficiently. An Endeavour was also made to co-ordinate the policies and actions among different specialized agencies of the Economic and Social Council (ECOSOC) and NGO's active in the field.

Integration and reintegration of the disabled persons into the society, upholding social justice, equality and dignity of the disabled became the guiding principles. The noble intentions were embodied in the emblem of the Year itself, which showed two persons holding hands in solidarity and in support of each other in a position of equality. The disabled were to be accepted for their abilities and not disabilities, the problems of the disabled were to be viewed as the problems of the society as a whole. The member states were exhorted to look upon the efforts to find solution to the problem of disabled persons as an integral part of the national development strategies.
The problems, environment, culture and the resources of the developing countries were kept in mind. It was expected that these countries would not be in a position to match the developed world in their performance. Efforts were also made to link the policies and actions with international peace and co-operation, human development and new international economic order which was a much talked about topic during those days. Public understanding and awareness of disability and problems attached to it were the few among the objectives of the celebration of the Year, the declaration of the Year itself being a step towards that end. The World Programme of Action laid emphasis on the prevention of disability. This had a special significance for a country like India where ignorance and lack of resources lead to a large number of disabilities, which could otherwise be prevented. Efforts have since been made in India to fall in line with rest of the world, but not enough has been done by the way of creating legal basis and authority, involving disabled in decision-making or research and development facilities.

However, it is heartening to note that a more systematic and a rather exhaustive survey for the purpose of ameliorating the conditions of the disabled has been made. After trial and error, it has been realized that there is no need for educating the disabled in an isolated environment if one wanted them to be integrated into the society. But it does not seem to have dawned upon the policy-makers that prevention of disability and rehabilitation of disabled could release enormous human resources which could make their own contribution to the development process and the rural India is the potential area in this regard.

It is also a fact that not all the states in India responded to the call given on the eve of IYDP with similar enthusiasm. It goes to the credit of Southern and North-Eastern states of India that, in spite of not having been blessed with sufficient resources, they have stolen a march over their counterparts in the North and North-West. Thus, one finds the poor and pygmy, Andaman’s and Nicobar, showing the way to others.

It is a pity that many do not know the significance of the World Disabled Day. Even the disabled themselves are to be blamed to some extent. They have failed, even
after the IYDP, to have organized themselves as was the wish of the U.N. to be able to form a strong enough pressure group so as to impinge upon legislation and decision-making. They must not forget that the interests of a group are best guarded by the members of the group and that the self-help is the best help.