Chapter I

INTRODUCTION

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1.1 Context of the study

“Alone we can do so little;
Together we can do so much.”

_Helen Keller_

Disabilities are an umbrella term, covering impairments, activity limitations, and participation restrictions. Impairment is a problem in body function or structure; an activity limitation is a difficulty encountered by an individual in executing a task or action; while a participation restriction is a problem experienced by an individual in involvement in life situations. Thus disability is a complex phenomenon, reflecting an interaction between features of a person’s body and features of the society in which he or she lives (WHO, 2012).

Disability must first be defined as it is experienced by all persons with disabilities, regardless of age and gender, including those with sensory, physical and intellectual impairment and mental health difficulties. Then, with this shared understanding, an assessment can be made of how well persons with disabilities people are being supported within mainstream agendas for health and well-being, the fight against global poverty and the human rights agenda.

The approach to people with disabilities both nationally and internationally, has, for far too long, been built on a model of care and entitlement based on charity and the assumptions that disability is an individual pathology, a condition grounded in the psychological, biological or cognitive impairment of the individual. Having taken note
of the historic grounds, which perpetuate on the equalities on the basis of physical and intellectual characteristics, the United Nations Economic and Social Commission for Asia and Pacific is committed to create conditions in which persons with disabilities can enjoy their human rights and fundamental freedom on equal basis. This means combating disability based discrimination.

The concept of human rights for persons with disabilities began to become more accepted internationally during 1970s. The Declaration on the Rights of persons with disabilities Persons, adopted by the General Assembly on 9th December 1975, encouraged National and International protection of the rights of the persons with disabilities. Recognition was given to the fact that persons with disabilities were entitled to the same political and civil rights as others, including measures necessary to enable them to become self-sufficient. The declaration reiterated the rights of persons with disabilities to education, medical services, and placement service. It further recognized their rights to economic and social security, to employment, to live with their families, to participate in social and creative events, to be protected against all exploitation, abuse or degrading behaviour, and to avail themselves of legal aid. The challenge of integrating and including persons with disabilities in the economic mainstream has not been met. Despite international standards and the implementation of exemplary training and employment legislation, policies and practices in some countries, persons with disabilities, and especially
women, youth and those in rural areas, remain disproportionately undereducated, untrained, unemployed, underemployed and poor.

“Well, in India, the major problem is that of awareness. Or rather, the lack of it. There also a kind of stigma associated with them, which is disgusting. There are laws that state that no school for ‘normal children can refuse admission to persons with disabilities ones, however, it is rarely followed; most schools do refuse admission to such children. All these factors lead to just one result: these children do not receive the education they deserve, the education that their peers receive.

“Over 600 million people, or approximately ten per cent of the world’s population, have a disability of one form or another. Over two thirds of them live in developing countries. Only two per cent of persons with disabilities children in the developing countries receive education or being rehabilitation. The link between disability, poverty and social exclusion is direct and strong throughout the world” – (UN, 2006).

During ancient times, the births of persons with disabilities were seen as the result of sin or punishment by God for wrong thing done in last life. This perception has changed over a period of time and persons with disabilities were looked at with pity and charity. But today despite the sensory or physically disabilities they proves themselves as normal citizens. It has been proved that disability lies in the social system and not within persons with disabilities themselves.
They need protection of their rights and equal opportunities instead of showing pity and getting charity. Disability movement both worldwide and within India has a greater role to play in this transformation. The movement has to be strengthening further. Study focuses on the changing face of disability movement from looking at persons with disabilities as a sin to charity mode and towards giving them their rights and equal opportunities. Attempt here is on understand the path of disability movement and its relevance for Indian social work. This will provide an important input for voluntary organizations, government, and the social work professionals working in the area of disability.

In everywhere in the world, persons with disabilities are the largest minority group starved of services and facilities available to their non- persons with disabilities counterparts. As a result they are least nourished, least healthy, least educated and least employed. They are subject to the long history of neglect, isolation, poverty, deprivation, charity and pity. The situation of persons with disabilities in India is not significantly different. The responsibility of care of persons with disabilities is generally left to their families and few institutions managed by government voluntary organizations. Persons with disabilities in India are mostly ignored by the society because they do not have economic, political or media power. Census of India, for the first time, enumerated persons with disabilities in 2001 according to which more than 2 crore people are facing the problem of
disability. In comparison to United Nations figure of 10 percent, this figure is very small. The reason lies in the different approaches and definitions. Within India results of National Sample Survey Organization and Census of India shows contradictory results. This speaks about the lack of sensitivity on the issue of disability.

The legal framework adequately addresses the issue of disability. Constitution of India, guarantees right of justice, liberty of thought, expression, belief and worship and equality of status and of opportunities for all citizens including person with disabilities. Apart from constitutional provisions, the collective struggle and continues attempts of all persons with disabilities and their advocates resulted in ‘Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Bill, passed in 1995. This Act is a comprehensive and far reaching legislation with promise of liberating mankind of its prejudices and of removing barriers that have crippled the persons with disabilities for centuries. By granting full equality, independence and freedom, act has opened doors to people with disabilities so that they can become an integral part of the mainstream society. Apart from PWD Act, we have other legislative provisions like The Mental Health Act 1987, Rehabilitation Council of India Act 1992, and The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act 1999. These Acts are also intended to safeguard the interest of person with Disabilities. Government of Gujarat has passed Gujarat Physically Handicapped
Persons (Employment in Factories) Act 1982 which provide for the reservation for person with disabilities in private sector factories. The fruits of these legislative provisions are not percolating to persons with disabilities because of lack of awareness. Even voluntary organizations working for persons with disabilities are not aware about the legal provisions available to protect the rights in various aspects.

Large numbers of voluntary organizations are operating in India, especially for the welfare of person with disabilities. Sincere and dedicated efforts on the part of government and voluntary organizations have resulted in high level of literacy among person with disabilities and increased awareness among persons with disabilities and their parents about their rights and capabilities. But the dark side is that, many of voluntary organizations believe on charity model. These organizations are not professionally managed. They are depending on government and other donors for financial support. Only a few of them are providing vocational training and employment services for person with disabilities. Vocational trainings provided by voluntary organizations are not professionally designed lacking in marketability and employability. So even after getting training person with disabilities are not suitably employed. Secondly more than 75 percent of persons with disabilities are living in rural areas where as voluntary efforts are concentrated in urban locations. Very few organizations are working for rural persons with disabilities. Voluntary organizations have to extend their operations in rural areas as well.
Employment is really a problem for persons with disabilities. Unemployment rate among persons with disabilities is more than double the unemployment rate among their non-persons with disabilities counterparts. The reasons lie in the suspicions of the employers who believe on medical model and consider them inferior to their non-persons with disabilities counterparts. They prefer to donate for the welfare of persons with disabilities rather than giving them employment opportunities. Physical and mental impairment is more visible to them compared to their abilities. A three percent reservation as provided by PWD Act has remained on paper even after more than a decade of passage of legislation.

The policies and schemes of government are guided by medical model rather than human rights model. Major efforts on the part of government are limited to physical rehabilitation in the form of preventive action, provision for aids and appliances etc. Efforts in the direction of human rights model has remained on paper because of the ignorance on the part of persons with disabilities, and voluntary organization.

Kerala, is a tiny state in the southernmost part of India. Kerala, with appreciative development indicators comparable to developed countries, has been experimenting with decentralization and participatory local democracy, ultimately aimed at realization of the constitutional goal of establishing genuine "institutions of local self
government" since the enactment of Kerala Panchayat Raj Act & the Kerala Municipality Act in the year 1994.

Local governments were vested with the powers and responsibilities of economic development and social justice in their respective areas. Panchayats and the Municipalities altogether constitute the Local Government System of Kerala state in the Indian federal system.

1.2 Need and significance of the study

The appropriate governments and local authorities shall within the limits of their economic capacity and developments undertake or cause to be undertaken rehabilitation of all persons with disabilities. Kerala, with appreciative development indicators comparable to developed countries, but in disability area developments are very low. As per 2001 census 861000 persons in Kerala are with one or other disabilities (Census, 2001).

Kerala State has 978 Grama Panchayats, 152 Block Panchayats, 14 District Panchayats, 60 Municipalities and 5 Corporations. Consequent to the 73rd and 74th amendments to the Constitution, the three-tier system came into existence in India. In Kerala, Local Self-Government Institutions have been meaningfully empowered through massive transfer of resources as well as administrative powers. Local self-government Institutions have emerged as effective agencies for the implementation of developmental programmes. Developmental programmes are identified and implemented through Grama Sabhas.
Local Authorities have no power on their own; their powers are delegated, usually from Parliament. Some powers are 'mandatory' while others are 'voluntary'. Local Authorities also have a duty to promote the economic, social and environmental wellbeing of their communities. This is linked with the concept of community planning through partnerships aimed at improving 'community wellbeing'. Local Government is a huge service provider to benefit the local community. Councils either provide services directly to the public or arrange for others to do so. Most of these services affect the daily lives of local people in a major way.

Kerala is an excellent model of three tier panchayath state. Kerala is a state with lots of persons with disabilities. Even if kerala has an educational and social position with developing countries, the welfare of persons with disabilities, the rules and funds for them are not using properly and utilizing in kerala. But the funds available through the panchayaths have being diverting and utilising only for the purpose of purchasing certain equipments for the persons with disabilities. Even though the panchayath secretary is responsible for giving instructions to the concerned department to construct public buildings and roads, which must be disabled friendly, the rules and regulations are not followed as the responsible secretary does not take keen interest in this regard. The gramasabha of the panchayaths are supposed to select the beneficiaries and implement the rules. Another matter is the checking of eligibility of beneficiaries to verify whether the benefits are availing to
the eligible persons. This is a crucial problem in the implementation of funds as many eligible disabled persons are being evacuated. In these circumstances, if the local body secretaries have proper understanding and knowledge about disability laws and monetary facilities, this issue could be solved. If the secretaries of local bodies have a positive attitude towards the disabled persons, they can impart necessary help and support to the disabled community. In these circumstances, through this investigation the investigator decided to study the awareness and attitude, implementation of laws and utilisation of funds. Because of the above mentioned issues this study is relevant. Hence the study is entitled as **Awareness and Attitude of Localbody Secretaries on Disability and Implementation of Laws and Utilization of Funds for the Differently Abled in Kerala.**

1.3 **Statement of the problem**

The present study attempts to find out the awareness of local body secretaries about the laws for person with disabilities and also tries to examine the attitude of local body secretaries towards implementation of disability laws and utilization of funds for them in the local body stage. So the present study entitled as **“A Study on the Awareness and Attitude of Localbody Secretaries on Disability and Implementation of Laws and Utilization of Funds for the Differently Abled in Kerala.”**
1.4 Operational definitions

Awareness

“Awareness is the state or ability to perceive, to feel, or to be conscious of events, objects, or sensory patterns”. (Ferrari, 1998).

In this study awareness denotes knowledge of local body secretaries about disability, their welfare, laws, and funds for persons with disabilities.

Attitude

“An enduring pattern of evaluative responses towards a person, object, or issues”. (Colman, 2006).

A combination of concepts verbal information and emotions that result in predisposition to respond favourably or unfavourably towards particular people, groups, ideas, events, or objects. In this study attitude denotes the feelings and opinions of local body secretaries towards disabilities.

Local body secretaries

“Local government is a form of public administration which in a majority of contents exists as the lowest tier of administration within a given state” (Local government Act, 1997).

In these study local body secretaries refers to the qualified persons appointed as secretaries by the appropriate authorities in Panchayath, Municipality, and Corporation in kerala.
Disability

Disability is the consequence of an impairment that may be physical, mental, sensory, emotional, and developmental or some combination of these. A disability may be present from birth or to occur during a personal life time. (WHO, 2012).

It refers as inabilities or limitations in performing roles and tasks expected of an individual within a social environment due to sensory or physical impairments.

Implementation of laws

“Law is a system of rules and guidelines which are enforced through the social institutions to govern behaviour”(Robertson 2012).

The local bodies consider and implement the laws like Persons with Disabilities Act 1995, The Mental Health Act 1987, Rehabilitation Council of India Act 1992, and The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act 1999. By these laws, local bodies should provide education, shelter, least restricts environment etc. to the persons with disabilities.

Implementation of funds

“A sum of money or other resources set aside for a specific purpose” (Houghton, 2009). It is the budget allotment of the local bodies for the welfare of persons with disabilities in the respective current financial year.
1.5 Objectives of the study

1. To identify the level of awareness of local body secretaries in Kerala on disability.

2. To identify awareness level of local body secretaries on disability with respect to certain socio demographic variables.

3. To find out attitude of local body secretaries towards persons with disabilities.

4. To find out attitude of local body secretaries towards persons with disabilities with respect to certain socio demographic variables.

5. To identify the extent of implementation of laws for persons with disabilities in local body levels.

6. To identify the extent of implementation of funds for persons with disabilities in local body levels.

7. To find out the relationship between awareness and attitude of localbody secretaries on disability.

8. To find out the relationship between awareness of local body secretaries and implementation of laws in the local bodies on disability.

9. To find out the relationship between attitude and implementation of laws of local body secretaries on disability.
10. To analyze the nature and extent of the utilization of funds for persons with disabilities in local bodies from 2007-2008 to 2011-2012 financial years.

1.6 Hypotheses of the study

The following research hypotheses were formulated for the study.

1. There will be no significant relationship between the awareness and attitude of local body secretaries on disability.

2. There will be no significant relationship between the awareness and implementation of laws on disability.

3. There will be no significant relationship between the attitude and implementation of laws on disability.

4. There will be no significant difference between the awareness levels of local body secretaries with respect to selected socio demographic variables.

5. There will be no significant difference between the attitudes of local body secretaries with respect to selected socio demographic variables.

1.7 Methodology in brief

Descriptive survey method was adopted for the study. The sample of the study consisted of 300 local body secretaries from panchayath, municipality and corporations in Kerala state. Random sampling method was used to select the sample. The standardized
tools used were: 1. Disability Awareness Inventory for Local body Secretaries 2. Scale of Attitude towards Disability for Local body Secretaries 3. Disability Laws Implementation Inventory 4. Disability funds utilization inventory. The data collected are analyzed using appropriate statistical techniques.

1.8 Scope of the study

This study is expected to throw light on the welfare of the persons with disabilities. The most important aim of this study is to analyze the level of awareness and attitude of local body secretaries on disability and implementation of laws and funds for the persons with disabilities. It is hoped that this analysis will help to understand the implementation of laws for persons with disabilities and utilization of their funds in local body level such as panchayath, municipality and corporation. This will in turn facilitate the formulation of appropriate awareness programs. Secondly, the study attempts to provide an understanding of the level of local body’s involvement in development of disability field. Thirdly, it is expected that this study will also uncover many facts about the association of local body’s involvement with the implementation of laws and utilization of funds for persons with disabilities, as well as an analysis of awareness and attitude on disability of local body secretaries with respect to selected socio-demographic variables. Lastly, findings of the study are expected to pave way for policymaking, rethinking and modification of laws for utilization of funds in the disability field. The findings of the study may
give directions for further research in this area. It is hoped that the results would be of immense use to all, concerned with the implementation of laws and utilization of funds for the persons with disabilities. In short, the present study directly or indirectly will facilitate the welfare of differently able population.

1.9 Limitations of the study

This study is limited to

1. The local body secretaries are busy servants, they have several jobs and to face many issues daily. So the numbers of items in the tools were restricted to a minimum without neglecting the important aspects.

2. Since random sampling technique was adopted for sample selection the sample was clustered in certain districts and scattered in some other.

1.10 Organization of the report

Further report of the study follows in four chapters.

- Chapter II Review of literature presents an overview of the related literature and related studies.
- Chapter III Research methodology consists of the details of the method adopted for the collection of data and framework for data analysis.
- Chapter IV deals with the Analysis and interpretation of the data.
• Chapter V contains a brief summary of the study, conclusions based on study findings, implications and suggestions for further research.

• The report consists of references and appendices.