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INCLUSION INITIATIVES FOR FULL PARTICIPATION & PROTECTION OF RIGHTS OF WOMEN WITH DISABILITIES

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ABSTRACT

Disability inclusion is including people with disabilities in everyday activities and encouraging them to have roles similar to their peers who do not have a disability is *disability inclusion*. This involves more than simply encouraging people; it requires making sure that adequate policies and practices are in effect in a community or organization. Inclusion should lead to increased participation in socially expected life roles and activities such as being a student, worker, friend, community member, patient, spouse, partner, or parent.

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Socially expected activities may also include engaging in social activities, using public resources such as transportation and libraries, moving about within communities, receiving adequate health care, having relationships, and enjoying other day-to-day activities. As estimated one in five women live with disabilities and the prevalence of disability is actually higher among women than men (19.2 versus 12 per cent). Contributing factors include the lower economic and social status of women and girls, gender-based violence and harmful or gender-discriminatory practices. Yet, women and girls with disabilities remain at the margins of decision-making and work on gender equality. For too long, the specific needs of women with disabilities have been invisible, both to the advocates of women's rights and those of disability rights. Women with disabilities are often subjected to double discrimination due to their gender as well as disabilities, the world becomes a harder place for women in such cases. More awareness & initiatives need to be taken with conscious efforts of empowering women with disabilities. Equal opportunities & respect at workplaces, social gatherings & various other platforms help build that confidence & empowerment in women with disabilities.

Keywords: Disabilities, inclusion, women, opportunities, discrimination, initiatives, platforms, equal.

INTRODUCTION

In a largely patriarchal society like India's, women face a significant disadvantage when it comes to accessing educational, health and job opportunities. According to the 2011 Census, while male literacy stands at 82%, female literacy stands at an abysmal 65%. Gender discrimination at birth in India has led to a skewed sex ratio of 940 females for every 1000 males. In addition, Indian women face acts of sexual violence and domestic abuse on a regular basis. For women with disabilities, both physical and intellectual, this disadvantage is reinforced further, leading to a 'double disadvantage'. They are discriminated against for both their gender and their disability, and fare worse in terms of access to education, sexual, and reproductive rights, entitlements and quality healthcare than men with disabilities or women without disabilities.

History of Legislations

“The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995” came into enforcement on February 7, 1996. This law is an important landmark and is a significant step in the direction to ensure equal opportunities for people with disabilities and their full participation in nation building. The Act provides for both preventive and promotional aspects of rehabilitation like education, employment and vocational training, reservation, research and manpower development, creation of barrier-free environment, rehabilitation of persons with disability, unemployment and establishment of homes for persons with severe disability, etc. This booklet aims at wider dissemination of the rights conferred upon by the Act.

Main Provisions of the Act

- Prevention and Early Detection of Disabilities
- Education.
- Employment.
- Non-discrimination.
- Research and Manpower Development.
- Affirmative Action.
- Social Security.
- Grievance Redressal

Prevention and Early Detection of Disabilities

- Surveys, investigations and research shall be conducted to ascertain the cause of occurrence of disabilities.
- Various measures shall be taken to prevent disabilities. Staff at the Primary Health Centre shall be trained to assist in this work.
- All the children shall be screened once in a year for identifying “at-risk” cases
- Awareness campaigns shall be launched and sponsored to disseminate information.
- Measures shall be taken for pre-natal, perinatal, and post-natal care of the mother and child.

Education

- Every child with disability shall have the right to free education till the age of 18 years in integrated schools or special schools.
- Appropriate transportation, removal of architectural barriers and restructuring of modifications in the examination system shall be ensured for the benefit of children with disabilities.
- Children with disabilities shall have the right to free books, scholarships, uniform and other learning material.
- Special schools for children with disabilities shall be equipped with vocational training facilities.
- Non-formal education shall be promoted for children with disabilities.
- Teachers Training Institutions shall be established to develop requisite manpower.
- Parents may move to appropriate fora for the redressal of grievances regarding the placement of their children with disabilities.

Employment

Three percent of vacancies in government employment shall be reserved for people with disabilities, one percent each for persons suffering from:

- Blindness or Low Vision
- Hearing Impairment
- Locomotor Disabilities & Cerebral Palsy

Suitable scheme shall be formulated for

- The training and welfare of persons with disabilities.
- The relaxation of upper age limit.
- Regulating the employment.
- Health and safety measures and creation of a non-handicapping.
- Environment in places where persons with disabilities are employed

Government Educational Institutes and other Educational Institutes receiving grants from the Government shall reserve at least three percent seats for people with disabilities. No employee can be sacked or demoted if they become disabled during service, although they can be moved to another post with the same pay and condition. No promotion can be denied

because of impairment.

Affirmative Action

Aids and appliances shall be made available to people with disabilities. Allotment of land shall be made at concessional rates to the people with disabilities for:

- House
- Business
- Special recreational centers
- Special schools
- Research schools
- Factories by entrepreneurs with disability

Non-discrimination

- Public building, rail compartments, buses, ships and aircrafts will be designed to give easy access to disabled people.
- In all public places and in waiting rooms, toilets shall be wheelchair accessible. Braille and sound symbols are also to be provided in lifts.
- All the places of public utility shall be made barrier-free by providing ramps.

Research and Manpower Development

Research in the following areas shall be sponsored and promoted:

- Prevention of Disability.
- Rehabilitation including CBR.
- Development of Assistive Devices.
- Job Identification.
- On Site Modifications of Offices and Factories.

Financial assistance shall be made available to the universities, other institutions of higher learning, professional bodies and non-government research units or institutions, for undertaking research for special education, rehabilitation and manpower development.

Social Security

- Financial assistance to non-government organization for rehabilitation of persons with disabilities.
- Insurance coverage for the benefit of the government employees with disabilities
- Unemployment allowance to people with disabilities registered with the special employment exchange for more than a year and who could not be placed in any gainful occupation.

Grievance Redressal

In case of violation of rights as prescribed in the act people with disabilities may move an application to:

- Chief Commissioner for Persons with Disabilities in the Centre
- Commissioner for Persons with Disabilities in the States

Even though the Census estimates are contested for being too low, it says that at least 48 million women in India have disabilities. How do they fare? The Government of India has also been unable to address this issue adequately. In the 2011 draft of the Rights of Persons with Disabilities Bill, there was originally a section on women and girls with disabilities. Unfortunately, this section had been removed and is absent from the 2014 version of the bill. Thus The Rights of Persons with Disabilities Act, 2016 is the disability legislation passed by the Indian Parliament to fulfill its obligation to the United Nations Convention on the Rights of Persons with Disabilities, which India ratified in 2007. The Act replaced the existing Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. It covers an exhaustive list of rights described for persons with disabilities.

Facts and figures: Women and girls with disabilities

Leadership and political participation:

Women with disabilities are severely underrepresented in decision-making: While both women and men with disabilities are underrepresented, evidence from 19 countries in 2017 shows that only 2.3 per cent of women with disabilities, compared to 2.8 per cent of men with

disabilities, held a position as a legislator, senior official, or manager. According to 2017 data, in 14 out of 18 countries in Asia and the Pacific region, there was no female parliamentarian with disabilities in the national legislative body. In the other four countries, the share of women parliamentarians with disabilities ranged from 0.3 to 6.3 per cent .

Women with disabilities are underrepresented in national coordination mechanisms on disability matters: Across 17 countries and territories from the Asia and the Pacific region in 2017, organizations of persons with disabilities included nearly twice as many men as women, representing 21 per cent and 12 per cent of all mechanisms respectively. In other types of organizations, men were similarly overrepresented, making up to 43 per cent of membership versus 24 per cent for women

Women with disabilities are underrepresented in gender equality institutions: In 7 of those same 17 countries, national machineries for gender equality included no women with disabilities among their membership, and in the remaining five countries, only 9 per cent of members were women with disabilities.

Fewer women lead organizations of persons with disabilities: Social media data analysed in 2017 indicated that 42 per cent of women, versus 58 per cent of men, held leadership positions in Spanish-speaking organizations working on disability issues or in collaboration with persons with disabilities .

Violence against women with disabilities :

Women with disabilities are at least two to three times more likely than other women to experience violence, including by family, intimate partners, caregivers, and institutional facilities.

Education :

Compared to men without disabilities, women with disabilities are three times more likely to be illiterate. UNESCO and the World Blind Union estimates say that the worldwide literacy rate for women with disabilities is 1%, compared to about 3% for people with disabilities as a [whole](#). In one study in India, the percentage of girls with disabilities going to school (38%) was found to be much lower than the percentage of boys with disabilities (61%) going to [school](#). Often, families are unwilling to spend on the education of girls with disabilities, especially if they need disability-related equipment or special transportation, causing girls to discontinue their education.

Employment :

Compared to men without disabilities, women with disabilities are two times less likely to be employed.

Health care :

Compared to men without disabilities, women with disabilities are three times more likely to have unmet needs for health care.

Background & Government of India schemes

The First World Conference on women in 1975 did not mention disabled women at all. The Second World Conference on women in 1980 asked Governments to “Direct special attention to the needs of elderly women, women living alone and disabled women.” Third World Conference on women in 1985, disabled women activists convinced Governments to include women with disabilities in the “Nairobi Forward-looking strategies for the advancement of Women”. Conventions on the Elimination of All Forms of Discrimination against Women (CEDAW) that came into force in September 1981 initially had no mention of women with disabilities. This committee recommended that „every State Party to the Convention have to report on the status of women with disabilities in their countries. In common usage, the terms impairment,

disability and handicap are tended to be used interchangeably. However, according to the authorities in this area, these terms can have different connotations in different cultural contexts (Report of United Nations, 1964). Women with disabilities are always neglected and subject to violence (Abramson et al., 2000). There was a study by (Alexander et al., 1998) about relationship between sexual and/or physical abuse, health care utilization, and pain medication usage in female patients with fibromyalgia. The study revealed that 57% women with fibromyalgia were sexually and physically abused. Women with disability are subject to domestic violence and social oppression as a result of gender disability in the society. There are certain governmental schemes being implemented in India for the people with disability. The important schemes are discussed below:

Nirmaya

Nirmaya“ is a Health Insurance Scheme to provide affordable Health Insurance to persons with

Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities. The scheme is implemented in all the districts of the country (except J&K). The health insurance cover under the scheme is provided up to Rs.1.0 lakh.

Gharaunda

Gharaunda" is a lifelong shelter and care scheme for providing assured minimum quality of care services throughout the life of persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities.

Gyan Prabha (Scholarship) Scheme

GyanPrabha scheme is for pursuing any post school vocational training/professional courses for enhancement of skill of person"s with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities.

Udyam Prabha (Incentive) scheme

UddyamPrabha scheme is for promoting income generating economic activities for self employment of persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities through incentives. Under the scheme incentive will be provided for availing loan for any income generating economic activity.

Arunim

Arunim(Association of Rehabilitation under National Trust Initiative of Marketing),is a Marketing Federation for development and marketing of products made by persons with Disabilities. Its objective is to facilitate marketing of products made by persons with disabilities in the domestic and international markets.

Samarth Scheme

This scheme is for residential services-both short term (respite care) and long term (prolonged care). Vocational training is mandatory under the scheme. The facilities in the home shall be available to both males and females on a 50-50% basis. It has a provision for people of all income groups like lower income and below poverty line category Samarth centers have up to 30 residents and are encouraged to extend support to adults and destitute children.

Remote Area Funding Scheme

The objective of the scheme is to stimulate National Trust activities in remote districts are not covered by any national Trust Registered NGO. These districts include area of tribal, hilly or desert region which are difficult to access. 100 such districts are mapped under the scheme with a plan to cover 30 districts every year. Support will be provided for running the existing programs/scheme in the areas with additional grant of 20%.

Sahyogi

Under the scheme, Caregivers will be trained at different levels to offer a career path and motivation. Training of caregivers and their deployment will be done through a Caregivers Cell (CGC) established in selected NGO centers. Two agencies, one for developing curriculum and training the trainers and second for administering the program have been set up. Enrolment of Caregivers and Care Seekers are being done by respective CGCs.

Sustainable Development goals & provisions for PWDs:

One billion people i.e. around 15% of the world population are Persons with Disabilities. This *certainly* is not an insignificant number. But, people with disabilities face discrimination and exclusion almost on a daily basis. Even the Millennium Development Goals (MDG) did not have any references about PwDs. Sustainable Development Goals (SDG), however, aim at bridging this gap with its all-inclusive development targets.

‘Leave no one behind’ is the overarching principle of the Sustainable Development Goals. All the targets of the 2030 Agenda are universal i.e. they include everybody without an exception. The UN Convention on the Rights of Persons with Disabilities (CRPD) is one of the guiding frameworks for the implementation of SDGs thus ensuring inclusion and equal participation of PwDs. These global goals have opened doors of opportunities, participation and recognition for persons with physical and intellectual disabilities.

Despite stating that the goals are universal, persons with disabilities might have been excluded in implementation. So, while drafting the goals, persons with disabilities have been specifically mentioned at several places. Out of 169 targets (segregated in 17 goals), seven targets have an explicit mention of persons with disabilities. SDG number 4, 8, 10, 11 and 17 finds special mention of Persons with Disabilities.



We can conclude that the 2030 Agenda for Sustainable Development is disability-inclusive.

And, the SDGs will improve the lives of Persons with Disabilities for better making the world a more inclusive and sensitive place by 2030.

Disability Inclusion & how corporate India can Contribute

In case of employment also, people with disabilities are facing problems, particularly women. The disabled men's condition is also measurable. The employment rate in India fell from 43% in 1991 to 38% in 2002, despite the country's economic growth. In the public sector, despite a 3% reservation since 2003, only 10% of posts have been identified as "suitable". The quota policy also covers just three types of disability – locomotor, hearing and visual. The situation is far worse in the private sector. The sector has few incentives for hiring disabled people. In the late 1990s, employment of people with disability among large private firms was only 0.3% of their workforce. Among multinational companies, this was a mere 0.05%. Financial assistance too has hardly reached those in need. The National Handicapped Finance and Development Corporation disbursed assistance to less than 20,000 disabled persons between 1997 and 2002. There is no such special reservation for WWDs. Everyone can realize very well the real condition of helplessness of a women and being marginalized in the society. Being disabled is not their fault. There are several factors responsible for causing disability like genetic disorders, Congenital disturbances, injury at prenatal, natal of Post natal stage, traffic accidents, occupational accidents, malnutrition of expectant and nursing mothers and children, infectious diseases, environmental pollution, natural and man-made catastrophes are the apparent factors responsible for different types of disabilities varying in degrees and

dimensions. But they are the largest minority in the world. So we have to bring them to the mainstream for our inclusive growth. According to a study by the World Health Organization 2019, 1 in 6 people in the working-age population will experience a mental health condition at some point in their lives. Furthermore, 83% of people with disabilities acquire it during their working lives, says Business Disability Forum 2015. With this broadening of the spectrum dawns the understanding that some disabilities are visible, while others are not. People with visible disabilities cannot conceal supports such as a wheelchair etc, but there are a number of invisible disabilities to consider too, such as a learning condition or mental health issues. Some employers might look upon these less favorably than physical disabilities and are real barriers in the job market.

Other barriers:

Although unwillingness to disclose invisible disabilities for fear of discrimination is a major barrier, there are a few others to consider too.

Ready for the job – Despite some organizations expressing the desire to hire skilled people from the disabled community, they have had their postings languish due to lack of applicants. Major reasons identified are - the traditional means of posting jobs may not be accessible to the disabled, they may not want to self-identify as disabled or they may have concerns related to lack of work experience in a business environment.

Attitudes and perceptions – This is another key barrier. Perceptions regarding disability, especially mental health illness, are overwhelmingly negative and this is intimidating for them.

Focusing on how organizations help in overcoming these barriers

Perhaps it's time that the term 'differently-abled' completely took over the term 'disabled'. Businesses should focus on what they can accomplish, rather than what they are currently unable to do. Employers could work together with PwDs to identify reasonable accommodations that could foster their creativity and help them better deliver in their current or prospective roles. Corporates could also introduce support systems to help them overcome particular challenges foreseen at the workplace.

Workplace Challenges



From the time that the differently-abled arrive at the workplace to the time they leave it every day, the normal workplace poses several issues to them, mainly pertaining to accessibility and accommodation.

Physical and architectural – Normal staircase, elevator or escalator at access points and inside the workplace can be troublesome for people with mobility issues. Workstations and working tools can also pose problems.

Information and communication – Accessing information that they need, for example in the HR system, is difficult for visually-impaired. Communicating with co-workers and clients is also challenging.

Attitudinal – Negotiating with co-workers and team leaders who practice discrimination against the PwD is a very real problem.

Technological – Operating computers, dealing with touchscreens and similar technology without assistive devices could be a challenge for PwDs with certain medical conditions.

Organizational – Traditional HR practices, appraisal formats that exclude the PwD can prove to be especially frustrating.

How to be fair & overcome the barriers

- **Change the dialogue.** Help people at all levels feel open to express their concerns when it comes to dealing with people with disabilities in the work environment
- **Build awareness about people with disabilities in your workplace.** As employees begin to understand the business case and learn that people with disabilities can make a positive contribution to business at all levels, attitudes will change.
- **Build your business case.** Ensure that senior leadership, as well as middle

management and recruiters, understand the business case for diversity; understand why it is a priority for your organization.

- **Be accommodating:** Accommodate potential hires by considering job carving – allowing a person with a disability the opportunity to do the portion of the job they are capable of and reassigning what they cannot do.
- **Review and rework the recruitment process** and embed the need for hiring people with disabilities into all strategic and planned hiring.
- **Look for alternative recruitment methods** that will include people in the disabled community.
- **Create an internship/mentorship program** for people with disabilities.
- **Connect with community organizations** that assist people with disabilities in their job search.

The goal: to create an inclusive culture that favors all employees



Organizations have to gear up to do meaningful work; much more than convenient philanthropy.

Employ :Organizations must ensure that persons with disabilities are represented in their workplace and in their talent pipeline. Beyond hiring, employers should implement practices that encourage the progress of persons with disabilities.

Enable : Leaders must provide PwD with accessible tools and technology and/or a formal programme. To improve awareness and integration across teams, companies should consider

introducing training for employees without disabilities to learn about tools available to their colleagues.

Engage: To foster an inclusive culture throughout the organization, companies must invest in awareness-building through recruitment efforts, disability education programmes and engage digital and physical infrastructure to support.

Empower : Companies must offer mentoring and coaching initiatives, as well as skilling/reskilling programmes, to ensure that persons with disabilities continue to grow and succeed. The PwD should occupy roles at all levels, including top leadership positions.

The road to inclusion at Sodexo- Initiatives & practices

Diversity and Inclusion have always been a priority at Sodexo India – not just because it is the right thing to do, but because it is critical to the future success of our businesses and our economy. We realize that differently-abled individuals form a sizable part of the community and to act truly inclusive, we need to build an ecosystem that can aid their complete inclusion in the workforce as well – giving them a fair chance to lead a perfectly deserved normal, independent and confident life. That’s because, when we grow, people around us grow – the communities prosper. Disability inclusion matters at Sodexo and we have committed that 100% of our workforce will have access to initiatives supporting the inclusion of PwD by 2025. This includes a non discrimination policy about people with disabilities, communications to support the inclusion of PwD and a disability champion. We have already begun our journey in this direction. Many of our work positions are open for the differently-abled and can be seen on our Job portals, tagged as disabled-friendly. We accommodate the PwD by providing them customized jobs, flexible working hours and shifts. Our Spirit of Inclusion programme imparts employee and leadership sensitivity training to build awareness. One of the most inspiring examples of PwD is Himanshu, employed in the housekeeping division of Sodexo at our client site. Having learning disabilities and suffering from epileptic fits, Himanshu has overcome his fears and is today recognized for his hard work and loyalty. He is a great support system to all his colleagues. We look forward to many more such champions among our midst as we move towards creating a more inclusive workplace at Sodexo.

Conclusion:

In today's times, diversity & inclusion is not limited to gender diversity only, it has much more to do with different religions, PWDs, and different cultures. Workplaces can be inclusive provided it really believes in giving equal opportunities to all & also provides a platform to grow, without a feeling of discrimination. Many organizations like Sodexo India, should come up with opportunities & platforms to promote inclusive workplaces for PWDs, more importantly women with disabilities. As also concluded above, SGDs focus on PWDs will also help in providing support & aid to women with disabilities in near future.

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