

A Report

Observing the International Day of Persons with Disabilities (PwD)

Organized by: Rajasthan Bal Adhikaar Sarkshan Sajha Abhiyan Alliance



Date: 3rd December 2024

Venue: Institute of Development Studies, Jaipur



Background

In India, persons with a disability constitute nearly 2% of the total population, of which one-third are children. There are 1.5 million persons with disability in Rajasthan out of which 0.4 million are children, predominately residing in rural areas. (Source: <https://timesofindia.indiatimes.com/city/jaipur/data-on-persons-with-disability-under-reported/articleshow/94954458.cms> TNN / Oct 19, 2022, 08:19 IST)

International Day of Persons with Disabilities (PwD) is an international observance promoted by the United Nations since 1992. It aims to promote an understanding of disability issues and mobilize support for the dignity, rights, and well-being of persons with disabilities. The theme of the year is “amplifying the leadership of persons with disabilities for an inclusive and sustainable future”.

Rajasthan Bal Adhikar Sanrkshan Sajha Abhiyan (RBASSA), DASHAM is a strong network at the state level that works towards children's and adolescents' rights, care, and protection. Since 2008, it has been raising collective voices and influencing policies at the state level. Resource Institute for Human Rights (RIHR) plays a significant role in convening the Alliance at the state and national levels.

The network observed the International Day of Persons with Disabilities (PwD) to enhance awareness, develop a demand charter, and hand over it to the concerned state authorities a one-day workshop was organized at the Institute of Development Studies, Jaipur on 3rd December 2024.



Welcome and Introduction

Ms. Pratibha Bhatnagar, Support Foundation for Autism and Developmental Disabilities (SFADD) welcomed all the participants for their active presence in making the fruitful and briefed the day's objectives.

A total of 49 people including specially-abled children, & their parents, the para-athletics, special educators, NGOs, government officials, and representatives of UN agencies- UNICEF, and UNFPA from Jaipur, Ajmer and Karauli districts participated in the deliberation. All the participants were encouraged to introduce themselves and their work to the larger group.

The organizers provided a conducive and enabling environment for the participants to discuss and make recommendations.



Modern Concept of Disability and Mainstreaming of PwD in Society

Dr. Akash Deep Arora, RAS, Deputy Director, Indira Gandhi Panchayati Raj & Gramin Vikas Sansthan (IGPRS) discussed through power point presentation the concept of disability, persons with disabilities constitute 10% of the world population, of whom 80% live in developing countries (source: General Assembly Resolution, A/RES/ 65/ 186, dated: 21 December 2010).

According to the United Nations Convention, Persons with disabilities (PwD) include those who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

Discussed the major forms of barriers including physical, informational, and attitudinal barriers. As normal people, the PwD also has different characteristics, personalities, choices, problems, similar needs, and desires, thus needs equal encouragement, love, respect, and care.

It was emphasized that PwD are given nomenclature such as divyang, specially-abled, and differently-abled, but these words will have no meaning until they are treated as an equal human being and provided barrier free environment and create inclusivity as an integral part of the world.

Toward the end, the participants also shared their experiences related to ramp accessibility, newborns, etc.



The existing environment designed and facilities made by the normal people of the country create more disabilities among the persons with disabilities (PwD)

Challenges of Women with Disabilities

Persons with disabilities have almost the same challenges irrespective of gender, however, women and girls with disabilities experience double discrimination, which places them at higher risk of gender-based violence, sexual abuse, neglect, and exploitation. There is a need to take into account and address their concerns in all policy-making and programming. Special measures are also needed at all levels to integrate them into mainstream development.

The women participants shared their personal experiences that they faced. During a job interview at the school, the management instructed for not to provide any special services despite my disability, the college management refused to provide disability-friendly services on the bus, and hence not selected for the teaching job. In rural areas, after lots of continued visits, struggles, documentation compliances, and follow-ups for a long time, children with disabilities get school admissions and further face many services related and attitudinal challenges at schools and colleges while studying that affects deeply their morals and confidence.

As per the policy, reasonable accommodation- an adjustment to a system that makes it fair and accessible for people with disabilities has not been implemented across the systems and facilities.



Roles of UN Agencies

Mr. Kumar Manish from UNFPA and Ms. Hemalee Leuva & Mr. Ankush Singh from UNICEF also shared their experiences in the workshop.

For the state youth policy, UNFPA had collated the voices of PwD from the previous workshops of the network and is now actively working on its implementation from the year 2025. Meanwhile, also working with the Department of Social Justice and Empowerment on the assistive technologies for PwD.

UNICEF started working last year on the globally approved disability inclusion policy. The policy focuses on curbing discrimination and generating public awareness for PwD. Also working on the state action plan on disability with the state government. They are working closely with the state government on data bank and mapping the schemes for children with disabilities (CwD) for planning the need based programs.

The UN agencies are advocating for One Stop Centre for PwD in the collaboration of the state government.



Inviting Recommendations for Finalizing Demand Charter

To strengthen the Rights of Persons with Disabilities Act of 2016 and hand over the demand charter to the government state authorities. The organizers prepared the draft charter demand through the suggestions received on the existing WhatsApp group of partner NGOs.

The demand charter was read out to in the workshop, to incorporate further suggestions and finalized the same.

It was also discussed to partner with the UN agencies to drive the campaign for persons with disabilities in the state.

The issues highlighted by the participants included:

- As an Aadhar card is the primary identification to avail the central and state government schemes, a district like Ajmer could not generate PwD fingerprints and retinas by the machine of an Aadhar card.
- It is challenging to issue disability certificates through the Swavlamban portal of the government.
- Need better services to avail the services of community based rehabilitation for blind students.
- To assess auditory disorders and hearing loss, among people, the brainstem evoked response audiometry (BERA) test machines or trained staff are unavailable at the designated testing centres.
- Divyang Mitra Kendra can be established at the local levels to resolve many issues of PwD.
- As per the Act, about 4% reserved participation of PwD in politics, but it is not implemented yet.
- Implementation of Volunteer Program, that aims to train and support about 100 PwD volunteers from across the state. These volunteers further resolve the issues and bring social change at the grassroots level.
- Availability of clean and accessible wheelchairs at railway stations at each platform, bus stations, hospitals, and all other public places.
- Hostel facilities for PwD in the colleges and universities.

- Promoting assistive technologies that help people with disabilities to improve their functional capabilities, should be available in scooters, computers, websites, cinemas, and entertainment zones.



Handing Over the Demand Charter on PwD to State Government Authorities

The chief guest of the workshop included Mr. Umashankar Sharma, Commissioner for PwD, Commissionerate Court for Specially Aabled Persons, and Ms. Pallavi Sharma, Member Secretary of District Legal Service Authority (DLSA).

They were briefed about the day long discussions with PwD and representatives of partner NGOs and individuals.

During their addresses, the major roles Court for Specially Aabled Persons were shared comprising resolving grievances, providing subsidies to the PwD, utilizing the decentralized services of designated district officers, and mandatory fulfilling the compliances by banks, schools/colleges, etc.

They emphasized the necessity for generating awareness and sensitivity among normal people for all 21 categories of disabilities as well as publicizing the court for specially aabled persons to resolve the issues of PwD at the grassroots level. They also ensured the support for implementing the policy and resolving the issues of PwD at the district and state levels.

Toward the end, the demand charter was read out (**Annexure I**), and also handed over hard copies of the same to them for better execution of the Rights of Persons with Disabilities Act of 2016.



Closing Remarks

On behalf of Bal Adhikar Sarkshan Sajha Abhiyan Alliance, Mr. Vijay Goyal expressed gratitude to differently-abled children, their parents, NGOs, UN agencies representatives & Government officials for their active participation. He ensured that the alliance would continue its support and advocacy efforts for influencing the policies and programs for persons with disabilities at the state level.

Additionally, he informed that the demand charter would be handed over to different concerned authorities at the state level for collective efforts and social change.



Handing over Demand Charter for Action

Further during the second week of December 2024, the demand charter was handed over to below cited government authorities to influence the program implementation across the state.

- Mr. Kuldeep Ranka, Assistant Chief Secretary, Social Justice & Empowerment
- Mr. Avinash Gahlot, Minister of Social Justice & Empowerment

PwD do not want to just stay beneficiaries of generosity but are capable and want to be of some use or contribute to society in some way

राजस्थान बाल अधिकार संरक्षण साझा अभियान

दिनांक- 03/12/2024

दिव्यांगजनों के साथ आने वाली समस्याओं पर विभिन्न दिव्यांग समूहों का माँग पत्र

विषय: दिव्यांगों के मुद्दों पर आवश्यक संज्ञान लिए जाने के क्रम में।

दिव्यांग अधिकार अधिनियम 2016 दिव्यांगों के अधिकारों को जीवन के प्रत्येक क्षेत्र में सुनिश्चित करते हुए बाधामुक्त वातावरण उपलब्ध कराने हेतु एक महत्वपूर्ण कानून है। यह कानून बने लगभग 7 वर्ष से भी अधिक समय हो चुका है, परंतु राजस्थान में धरातल पर कई ऐसी विसंगतियां दृष्टिगोचर हो रही हैं जो इस कानून की सही तरीके से पालन नहीं होना दर्शाता है। कुछ ऐसे विषय जो दिव्यांगों के जीवन को बहुत अधिक दुष्कर बना रहे हैं और जिन पर वर्षों से उचित कदम नहीं उठाया जा रहा है।

हमारी मांग है कि:

1. दिव्यांगता प्रमाण पत्र के लिए ऑनलाइन आवेदन करने में अत्यधिक परेशानियों का सामना करना पड़ता है। इसके लिए निदेशालय विशेष योग्यजन तथा जिला स्तर पर अलग से एक विंडो बनाया जाना चाहिए जहां विकलांगता प्रमाण पत्र आवेदन, कोई संशोधन हो तो सब वहीं से एक निश्चित समय सीमा में हो तथा पूरे राज्य में पंचायत से जिला स्तर तक प्रत्येक माह की निश्चित तारीख पर दिव्यांगता प्रमाण पत्र जारी करने के लिए नियमित तौर पर कैंप लगाए जाएं।
2. 1098 की तर्ज पर दिव्यांगजनों के लिए हेल्पलाइन नंबर और जिला स्तर व विशेष योग्यजन निदेशालय पर समयबद्ध वन स्टॉप सॉल्यूशन सेंटर शुरू किया जाए।
3. एक ऐसा प्लेटफॉर्म बनाया जाए जहां हर 3 महीने में दिव्यांग प्रतिनिधियों, अभिभावकों के साथ संबंधित विभागों के उच्च अधिकारियों के बीच सीधा संवाद हो और उठाए गए मुद्दों पर समयबद्ध समाधान किया जावे।

932 किसान मार्ग बरकत नगर टोंक रोड़ जयपुर

मोबाइल- 9460387130, 9413340966, ईमेल- childrightsrajasthan@gmail.com

4. दिव्यांग अधिकार अधिनियम 2016 के अनुसार राज्य में सलाहकार बोर्ड नियमानुसार अक्टूबर 2017 में बन जाना चाहिए था जो जुलाई 2023 में बनाया गया। परंतु इसकी अभी तक एक भी मीटिंग नहीं की गई है। इस अधिनियम के प्रावधानों के अनुसार दिव्यांगता अनुसंधान कमेटी, राज्य आयुक्त एडवाइजरी कमेटी इन का अस्तित्व है ही नहीं या भंग की जा चुकी है। लोकल लेवल कमेटी लगभग निष्क्रिय है। इन सभी का पुनर्गठन कर उनके प्रभावी संचालन को सुनिश्चित किया जाए।
5. राज्य एडवाइजरी बोर्ड में सभी प्रमुख दिव्यांगताओं के साथ नई शामिल दिव्यांगताएं जैसे ऑटिज्म एवं बौद्धिक दिव्यांगों के प्रतिनिधियों जो उनके अभिभावक हो को अवश्य शामिल किया जावे। साथ ही पांच महिला प्रतिनिधि नियमानुसार शामिल किए जावे।
6. सभी स्कूलों में विशेष आवश्यकता वाले बच्चों के लिए प्रशिक्षित और कुशल विशेष शिक्षकों की नियुक्ति की जावे। श्रवण बाधित बच्चों / युवाओं के साथ संवाद करने के लिए सभी स्वास्थ्य केंद्रों, रेलवे स्टेशनों, बस स्टेशनों, अदालतों, पुलिस स्टेशनों, बैंकों पर दुभाषियों की नियुक्ति करना। सभी दिव्यांग युवाओं के प्रति अन्याय को रोकने के लिए सांकेतिक भाषा एवं जो भाषा उनके लिए पहुंच योग्य है उसमें दस्तावेज तैयार करना।
7. दिव्यांगों के लिए स्कूलों और कॉलेज में व्यावसायिक प्रशिक्षण और तकनीकी पाठ्यक्रम सुविधाओं को पहुंच में लाना।
8. ऑटिज्म एवं बौद्धिक दिव्यांग बच्चे जो पढ़ लिख नहीं पाए उनके लिए अलग से व्यावसायिक ट्रेनिंग की व्यवस्था की जाए जिसमें उम्र एवं शैक्षणिक योग्यता की बाधा ना हो।
9. दिव्यांग कर्मचारियों को कार्य स्थल पर रीजनेबल अकोमोडेशन की व्यवस्था केंद्र के समान लागू की जाए, एवं नई बेंचमार्क दिव्यांगता ऑटिज्म एवं बौद्धिक दिव्यांग कर्मचारियों के लिए विशेष सेवा संरक्षण नियम बनाए जाएं। -ऐसे अभिभावक जिनकी दिव्यांग संताने हैं उनके स्थानांतरण को लेकर केंद्र के समान नियम हो।
10. विशेष योग्यजन निदेशालय की वेबसाइट को नियमित रूप से अपडेट किए जाने की व्यवस्था सुनिश्चित हो। सभी कमेटियों, बोर्ड के मेंबर्स के नाम, फोन नंबर आदि आवश्यक सूचनाएं इस पर उपलब्ध हो।

932 किसान मार्ग बरकत नगर टोंक रोड़ जयपुर
मोबाइल- 9460387130, 9413340966, इमेल- childrightsrajasthan@gmail.com

11. न्यायालय विशेष योग्यजन आयुक्तालय द्वारा विभिन्न प्रकरणों पर दिए गए निर्णयों की संबंधित विभाग अधिकांशतः अवहेलना करते हैं। इसका सीधा नुकसान दिव्यांगों को हो रहा है। आयुक्तालय को प्रभावी बनाने हेतु समुचित कर्मचारी एवं संसाधन उपलब्ध कराए जाएं। इस न्यायालय में विधिक सेवा प्राधिकरण के पैनल लॉयर्स की निशुल्क सुविधा दिव्यांगों को सहयोग हेतु दी जावे।

12. आंगनबाड़ी, प्राथमिक स्वास्थ्य केंद्र, हॉस्पिटल, न्यायालय, बैंक, मॉल, स्कूल, कॉलेजों आदि सभी सार्वजनिक स्थलों पर दिव्यांग अधिकार अधिनियम एवं 21 दिव्यांगतओं की संक्षिप्त जानकारी दी जानी चाहिए एवं अधिनियम 2016 को लेकर समाज और ब्यूरोक्रेसी में जागरूकता हेतु सघन जागरूकता अभियान चलाया जावे।

13. अनुच्छेद 12 के तहत विधिक सेवा प्राधिकरण को अधिनियम 2016 की प्रभावी रूप से पालना पर निगरानी हेतु महत्वपूर्ण अधिकार दिए गए हैं। अधिनियम 2016 की कमजोर पालना को देखते हुए विधिक सेवा प्राधिकरण एक मॉनिटरिंग कमेटी बना कर अधिनियम पालना हेतु प्रभावी मॉनिटरिंग सुनिश्चित करें।

14. प्राधिकरण यह भी सुनिश्चित करें कि दिव्यांगों के वर्षों से लंबित प्रकरणों की न्यायालय में सुनवाई में प्राथमिकता दी जावे।

15. प्रत्येक शहर में दिव्यांग छात्रावास हो।

हम सब हैं—

अभियान की ओर से

विजय गोयल
9460387130

श्रीमती प्रतिभा भटनागर
9414783568

मनीष सिंह
9928033443

अन्य की साथियों की सूची संलग्न है।

932 किसान मार्ग बरकत नगर टोंक रोड़ जयपुर
मोबाइल— 9460387130, 9413340966, ईमेल— childrightsrajasthan@gmail.com