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Rights of Persons with Disabilities: Impact of the Disability Act, 2016 in the Context of Paschim Medinipur District of West Bengal

Dr. Annapurna Nanda¹
Swarup Rana²

Abstract:

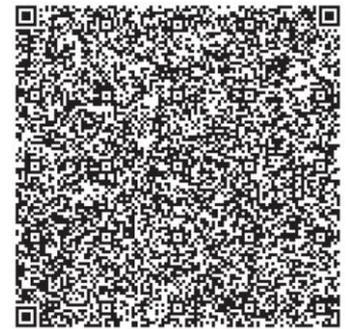
Ensuring equal rights and the dignity of every person in society is the fundamental responsibility and essential duty of a democratic state. Persons with disabilities are also an integral part of society. Disability is not a matter of charity or sympathy; instead, the state must ensure the rights of persons with disabilities. People with disabilities, like other ordinary people, are also part of society and are equally entitled to all kinds of rights, freedoms, and justice. Therefore, the Government of India took an important step in 2016 by enacting the Rights of Persons with Disabilities Act (RPWD), 2016. The main objective of this study is to find answers to these questions the actual impact of this law on the empowerment of the specially abled, its development, and the extent to which society is impacted by this law. This study will mainly delve into these problems and analyze what kind of real impact the Disability Act (RPWD) 2016 has had on the lives of the specially abled in the Paschim Midnapore district. This study is a descriptive study that has been mainly conducted through the collection of primary and secondary data. Qualitative research method has been adopted for data collection, which will provide an in-depth analysis of the real experiences of specially abled persons, the impact of laws, and administrative effectiveness. The study's findings indicate that while there has been some progress in urban areas, ensuring rights for people with disabilities in rural areas is still a major challenge. Lack of accessibility to schools, hospitals, and government offices, lack of awareness, administrative complexity, and lack of proper facilities in employment and healthcare are all obstacles that hinder the empowerment of people with disabilities.

Key Words: Disabilities Act, 2016, Empowerment, Development, Paschim Medinipur, Administration.

Introduction:

Background of the Study:

Ensuring equal rights and the dignity of every person in society is the fundamental responsibility and essential duty of a democratic state. Persons with disabilities are also an integral part of society. To ensure their healthy, respectful, and independent life, it is necessary to formulate specific policies and laws, one of the foundations of all welfare states. Disability is not a matter of charity or sympathy; instead, the state must ensure the rights of persons with disabilities. People with disabilities, like other ordinary people, are also part of society and are equally entitled to all kinds of rights, freedoms, and justice. Therefore, the Government of India took an important step in 2016 by enacting the Rights of Persons with Disabilities Act (RPWD), 2016. Its main objective is to protect the rights of persons with disabilities, create opportunities, and pave the way for their inclusion in society. Moreover, it will enhance their participation at all levels of society. The 2016 Disability Act has dramatically expanded the scope and definition of the 1995 Disability Act (PWD). The RPWD Act 2016 recognized twenty one disabilities, ensuring rights to education,



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¹ Associate Professor and PG Coordinator , Department of Political Science, Midnapore College (Autonomous) 721101, West Bengal

² Ph.D. Scholar, Midnapore College Research Centre in Humanities and Social Science, Midnapore College (Autonomous) and Assistant Professor, Department of Political Science, Garhbeta College, 721127, West Bengal

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employment, transportation, voting, healthcare, and a respectable societal position, replacing the 1995 act's seven disabilities provision.

In 2006, the United Nations General Assembly adopted the "Convention on the Rights of Persons with Disabilities (CRPD)", a historic and revolutionary step in protecting the rights and dignity of persons with disabilities. This convention brought about a fundamental change in the approach towards persons with disabilities. It informed the international community that disability is not a matter of discrimination, but of rights and inclusion, and it is the responsibility of the state to ensure these rights. In 2007, the Government of India also signed this agreement, which resulted in the Disability Act of 2016. In this context, an important district of West Bengal, Paschim Medinipur, was considered a suitable area. This study will analyze the status, facilities, and implementation of government policies for the specially abled in urban and rural areas of this district. The main objective of this study is to find answers to these questions: the actual impact of this law on the empowerment of the specially abled, its development, and the extent to which society is impacted by this law.

Importance of the Study:

People with disabilities have historically been recognised as a marginalised, disadvantaged, and exploited within society. In modern society, the expansion of human rights and the development of an inclusive approach have occurred. In this context, the Disability Act of 2016 has established an important constitutional and policy foundation. Nevertheless, they remain deprived of education, work, healthcare, and social respect in numerous aspect in providing equal opportunities, rights, and dignity to the people with disabilities. The importance of this study is manifold. A brief reflection is expressed by analyzing the practical implementation of this law and its effectiveness in the context of the Paschim Midnapore district. Identifying the current position, opportunities, and problems of people with disabilities in urban and rural areas of this district can make an important contribution to future policy formulation. It can act as a supporting document for raising awareness at the administrative and societal levels, which could show a new direction in empowering people with disabilities. The results of this study can provide realistic recommendations for improving the quality of life of people with disabilities and, at the same time, encourage the government and various institutions to take necessary steps to implement this law successfully.

Statement of the Problem:

Although the differently abled are a sensitive and important part of society, they have been victims of various social, economic, and institutional discrimination for a long time. These essential rights, such as education, work, medical care, transportation, and the ability to live with dignity in society, remain distant to them in numerous circumstances. Although the Government of India has taken an important step to protect the rights of the differently abled by enacting the Rights of Persons with Disabilities Act of 2016, various problems exist in its implementation. In the context of the Paschim Medinipur district, there is a lack of adequate awareness among the general public about this law. Access to information about government facilities and opportunities is limited, and in many cases, the local administration does not carry out proper monitoring and supervision. Infrastructural problems in rural areas, such as disability-friendly schools, health centers, lack of vehicles, family attitudes, and negative attitudes of the society, are creating obstacles in the path of the development of the differently abled. In addition, although there are opportunities for reservation and financial assistance as per the law, many do not get them, or face a lengthy administrative process. The question arises regarding how effective this law is in practice and how it plays a role in empowering the specially abled. This study will mainly delve into these problems and analyze what kind of real impact the Disability Act 2016 has had on the lives of the specially abled in the Paschim Midnapore district.

Objectives of the Study:

The main objective of this study is to assess the actual status of the rights of the specially abled in the Paschim Medinipur district through the implementation of the Rights of Persons with Disabilities Act 2016. One of the objectives of this study is to analyze the extent to which their social, educational, financial, and constitutional rights have been protected through the law and what kind of changes have occurred in reality. The specific objectives of the study are:

- i. To analyze the main features and objectives of the Disability Act 2016.
- ii. To determine the law's impact on the education, health, employment, and social recognition of the specially abled Persons.
- iii. To analyze the role of local administration, educational institutions, and society in implementing the law.
- iv. To identify the challenges and limitations in implementation.

Scope of the Study:



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People with disabilities are deprived of various social facilities and rights in various ways. They have to face daily struggles to survive in society. This study has been mainly conducted in specific blocks of the Paschim Medinipur district of West Bengal, namely, Salboni, Garhbeta-I, Garhbeta-II, and Garhbeta-III. The scope of the study is to analyze the important sections of the Rights of Persons with Disabilities Act, 2016, through which the people with disabilities in this district are aware of the important aspects of the law. Also, the quality of this study will be made more systematic and society-oriented by collecting the experiences and opinions of specially abled people and their families in the urban and rural areas of the Paschim Medinipur district. To evaluate the government and private initiatives in the field of education, health, employment, and social inclusion of people with disabilities in the district through this act.

Research Methodology:

This study is a descriptive study that has been mainly conducted through the collection of primary and secondary data. Qualitative research method has been adopted for data collection, which will provide an in-depth analysis of the real experiences of specially abled persons, the impact of laws, and administrative effectiveness. Primary data collection for this study was mainly conducted through interviews with specially abled persons, their families, teachers, social workers, booth President and local administrative officials. These interviews were conducted through open-ended questionnaires for in-depth analysis. Their experiences and opinions were collected through discussion groups organized for specially abled persons. Secondary data collection included government initiatives for persons with disabilities in the Paschim Medinipur district, government reports, statistics, and other relevant documents related to the implementation of the Disability Act. Data were collected from previous studies, journals, books, and research papers, which provided previous information about the impact and implementation of the law. This study selected underprivileged, specially abled persons and their family members as a selected sample. A sample of 70-80 specially abled persons and their family members were selected. The study followed the Purposive Sampling method as a sample selection method, where specially abled individuals, educational institutions, local voluntary organizations, and administrative officials were identified and selected. The data obtained were analyzed using the Descriptive Analysis method. Informed Consent was obtained from all the participants from an ethical perspective in the study. The personal information of the participants was kept confidential, and their confidentiality was protected. All the information were presented accurately, and the research results were published to prevent harm to the participants.

Data Analysis and Discussion:

This section analyzes the impact of the Rights of Persons with Disabilities act, 2016, on the lives of the specially abled in Paschim Medinipur district. Based on the data obtained, the practical impact and administrative effectiveness of this act in rights the specially abled are highlighted.

1. Impact of the Act: Education Sector

Name of the Block	Primary to Upper Primary	Upper Primary to MP	MP to HS	HS to UG	UG to PG	Others Professional Courses
Salboni	13	22	08	04	02	00
Garhbeta-I	17	21	07	05	01	03
Garhbeta-II	16	14	07	04	00	01
Garhbeta-III	14	17	05	03	02	01

Sources: Field Survey

The Act of 2016 has ensured special education opportunities for persons with disabilities. This act has established special schools and supportive education systems in some areas of the Paschim Medinipur district. The number of disabled students in various schools of the Paschim Medinipur district has increased since 2016. Analyzing the data obtained from the selected areas, it can be said that disabled students have expressed interest in studying in government schools, and some students in colleges and universities. Also, this act has made provision for compulsory education for persons with disabilities from 6 to 18 years, which has been implemented in these areas, although the number is small. Three special schools have been established in the urban areas of Paschim Medinipur district, where 20% of the students are getting benefits through government funds. However, these schools are still limited in rural areas, and about 50% of the students do not receive special education. However, despite some progress in urban areas, educational opportunities in rural areas remain limited. According to research, in most cases, people with disabilities are still not getting proper support in regular schools, and the provision of learning aids and inclusive education for people with disabilities is inadequate in most cases.



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2. Employment and Economic Empowerment

Name of the Block	Govt. Employee	small business	Agricultural work	lottery sellers	Labour	forest resources Collector	vegetable sellers	Toto driver	Others
Salboni	03	13	19	03	18	09	10	04	33
Garhbeta-I	05	21	27	06	23	06	07	03	21
Garhbeta-II	07	17	23	05	21	04	04	02	26
Garhbeta-III	11	22	26	08	19	02	11	01	19

Sources: Field Survey

Although the law stipulates that employment opportunities for people with disabilities should be increased by 5%, it has not been very effective in the Paschim Medinipur district. Although government departments or various organizations have taken some steps to recruit disabled workers, in almost all cases, proper training and assistive technology are not available. As a result, many people with disabilities have not been able to succeed in their employment, which is hindering their financial independence. It was revealed through interviews during data collection in selected areas that people with disabilities in these areas mostly enjoy financial independence. Such as, small business owners, Toto drivers, vegetable sellers, dependent on forest resources, lottery sellers, engaged in agricultural work, and daily wage workers. The government or private initiatives have provided no employment camps or training in these areas.

3. Healthcare and Medical Facilities

According to the 2016 Act, healthcare and medical facilities were supposed to be provided to the specially abled. However, these facilities have not yet reached the rural areas of the Paschim Medinipur district. Lack of disability-friendly facilities in district hospitals or health centers, such as a lack of disabled equipment and specialist doctors, creates problems in accessing medical facilities. Children with disabilities and mothers with disabilities in these areas face various difficulties in accessing healthcare services. Inadequate infrastructure is one of the significant barriers to accessing healthcare services.

4. Social Inclusion and Infrastructure

The act has ensured accessibility to transport, buildings, and other public places for the specially abled. However, while some progress has been made in the urban areas of Paschim Medinipur district, implementing these facilities in rural areas is very weak. In areas like Shalbani, Garbeta-II, etc., most government buildings or schools are not accessible to people with disabilities, which creates problems in their daily lives. People with disabilities in this region are reluctant to participate in social activities and political processes. In addition, people with disabilities are exploited and deprived in various ways by society, making their daily lives difficult.

5. Administrative Initiatives and Implementation

Although government initiatives have been successful in some cases, there are many obstacles in the implementation process. Due to lack of proper training and awareness at the administrative level, sometimes the specially abled are deprived of their rights. During data collection, many persons with disabilities stated that although humanitarian projects are one of the tools of the state government for financial independence, they are unable to meet their daily needs. Therefore, a lack of proper information about government benefits and inappropriate office arrangements hinders their socio-economic access.

6. People's awareness about the RPWD law

The study revealed that although the specially abled can get some benefits through the law, most are unaware of the law's importance or their rights. Due to this, the law is often ineffective for them, or their rights are not fully protected. There is almost no idea about the Persons with Disabilities Act 2016 among the people in rural areas because they consider social and economic independence, daily challenges, rights, and dignity as the most important needs of the law.

Discussion:

Although the Disability Act, 2016, has had a positive impact on the specially abled in Paschim Medinipur district in some cases, its implementation has not yielded the desired results in many cases. Especially in rural areas, the specially abled are not getting the law's benefits as they should. If the law's benefits can be fully implemented, the specially abled will often improve their quality of life. For this, more concrete steps are needed to be taken at the



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administrative and societal levels. Raising awareness, improving technology, and facilitating administrative processes for the specially abled will help make their empowerment more equitable.

Results:

The results obtained through this study provide an idea of the impact and implementation of the Rights of Persons with Disabilities Act, 2016, on the empowerment of the specially abled. The results are as follows:

1. Progress and Challenges in Education

According to the 2016 Act, support systems have been ensured for the specially abled in various educational institutions. Special schools have been established in some urban areas of the Paschim Medinipur district, but the special education system is still very limited in rural areas. Research has shown that many differently abled students are still not getting proper support in regular schools, and there is a lack of special education training.

2. Inclusion in Employment

Although the law discusses creating employment for differently abled persons, it has not been very effective in the Paschim Medinipur district. Although some steps have been taken in government departments, differently abled persons cannot succeed in their careers due to a lack of proper training and necessary assistive technology. Data collection on employment has shown that although a few government jobs are available for the differently abled, it is not enough.

3. Healthcare and Medical Facilities

There have been some changes in healthcare for people with disabilities, but it is not sufficient. These facilities have not reached most of the rural areas of the Paschim Medinipur district. There is a dearth of specialized medical equipment and specialist doctors in health centers for the disabled. Differently abled persons face problems accessing medical services, creating significant life obstacles.

4. Social Inclusion and Infrastructure

Although there have been some changes in the urban areas of Paschim Medinipur district, accessibility opportunities for persons with disabilities are very limited in rural areas. Most of the public places in the region, such as educational institutions, health centers, and government offices, do not have the necessary infrastructure facilities for persons with disabilities. Moreover, the transport system is also not suitable for persons with disabilities.

5. Administrative Efficiency

So far, the administration of Paschim Medinipur district has not demonstrated the desired efficiency in providing necessary services and opportunities to persons with disabilities. Although there have been some successes in government initiatives, implementing the law and receiving benefits are often significantly delayed. Many PWDs have reported that administrative delays and inefficiency create obstacles for them.

6. Public Awareness of the Law

According to the study's results, PWDs are not aware of the correct information about the law. In some cases, they do not know that they are entitled to special benefits. Because of this, many PWDs are not able to exercise their rights.

The study's results have shown that although the PWD Act 2016 has had a positive impact in some areas of Paschim Medinipur district, its benefits have not yet reached all types of PWDs in the entire district. There is a need for more proper implementation, infrastructure development, an administrative approach, and awareness rising for specially abled persons.

Conclusion:

The Rights of Persons with Disabilities Act, 2016, is a historic step for the differently abled, which has been enacted to ensure their human rights, education, health, employment, and social inclusion. In the context of the Paschim Medinipur district, the implementation of this Act has yielded positive results in some areas, but in many cases, the Act has not achieved its full potential. The study's findings indicate that while there has been some progress in urban areas, ensuring rights for people with disabilities in rural areas is still a major challenge. Lack of accessibility to schools, hospitals, and government offices, lack of awareness, administrative complexity, and lack of proper facilities in employment and healthcare are all obstacles that hinder the empowerment of people with disabilities. In addition, there is a need to increase public awareness of the rights of differently abled people, create training and employment opportunities, and improve administrative processes so that the benefits of this Act can be implemented appropriately. For this purpose, active participation of the state and central governments, local administrations, and every level of society is essential. The law enacted for people with disabilities can be effective through legal mechanisms and by increasing awareness at every level of society, developing infrastructure, and ensuring administrative efficiency. Empowerment of people with disabilities is essential for them and the overall development of society.



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Thus, the Disability Act, 2016, can help improve the quality of life of the disabled in the Paschim Medinipur district if it is properly and fully implemented. However, for this, changes will have to be made in policies, administrative efficiency, and society's attitude towards it. The Rights of Persons with Disabilities Act, 2016, is an important initiative for people with disabilities in the Paschim Medinipur district, which has been enacted to ensure their human rights, education, health, employment, and social inclusion. The study results clearly show that the law has positively impacted some areas, but the implementation process and implementation of opportunities are still limited. Had the process of empowering people with disabilities is properly conducted, in that case, it would have not only improved their quality of life, but it would also be an important step towards the overall development of society. More effective steps, policy adoption, and changes in societal attitudes will enable people with special needs to live more independently.

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