

## **PWD Act: Awareness Among Beneficiaries and Members of Rehabilitation Team**

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### **Abstract**

Estimated 70 million people are disabled in India (~7% of population). "The Persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995" (PWD Act) is a landmark legislation for the disabled in India. Certification of orthopaedic and neurologic disability is a part of a spectrum of activities conducted by a rehabilitation team. It decides whether a person comes under the preview of PWD Act or not. The effective utilization of various provisions of this Act plays an integral part in ultimate socio-vocational rehabilitation of its beneficiary. This is possible only if the concerned person is aware of his rights and knows how to go about it. Therefore it is necessary to frequently assess the awareness of any program among its beneficiaries, implementers and any contact persons to assess the success of effectiveness of it. Here, an attempt is made to assess the level of awareness of PWD Act beneficiaries through a short survey. Rehabilitation Team Members are also surveyed, who are frequent contact personnel for people with these special needs. Though many people are aware of educational and employment benefits under the Act, very few know the details and how to avail them. Every one knows about Travel concessions in public transport system but none is aware of the facilities to be provided in it. Some suggestions are pointed which are applicable at department or hospital level to increase the awareness of people attending hospitals and of staff members.

### **Introduction**

Approximately 7% (70 million) of India's population comprises of people with special needs. "The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995" (PWD Act) is a landmark legislation for the welfare of these people. It is published by notification of Ministry of Welfare, in the Gazette of India, Extraordinary, Part II - Section 3.

"Disability" means-

Blindness Low vision Leprosy-cured Hearing impairment Locomotor disability Mental retardation Mental illness

"Person with Disability" means a person suffering from not less than forty per cent of any disability as certified by a medical authority  
The Main Provisions of PWD Act (Scope)

- I. Prevention and Early Detection of Disabilities
- II. Education
- III. Employment
- IV. Affirmative Action
- V. Non-Discrimination
- VI. Research and Manpower Development
- VII. Recognition of Institutions for Persons with Disabilities
- VIII. Institution for Persons with Severe Disabilities

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- IX. Social Security
- X. Miscellaneous
  - I. Prevention and Early Detection of Disabilities
    - 1. Surveys, investigations and research
    - 2. Promote prevention of disabilities
    - 3. Screening of children and awareness campaigns
  - II. Education
    - 1. Free education till the age of 18 years
    - 2. Appropriate transportation, removal of architectural barriers and modifications in the examination system
    - 3. Right to free books, uniforms and other learning materials
    - 4. Special school for children with disabilities
    - 5. Scholarships
    - 6. Non-formal education
    - 7. Teacher's training institutions
  - III. Employment
    - 1. Not less than 3% vacancies in government employment reserved for persons with disabilities
    - 2. Suitable schemes for training and welfare of persons, relaxation of upper age limit and regulating the employment
    - 3. Health and safety measures at place of employment
    - 4. Reservation in poverty alleviation schemes
  - IV. Affirmative Action
    - 1. Schemes to provide aids and appliances
    - 2. Allotment of land at concessional rates for house, business, special recreational centers, special schools, research schools, factories by entrepreneurs with disability
  - V. Non-Discrimination
    - 1. Adapt public buildings, rail compartments, buses, ships and aircrafts to permit easy access to persons with disabilities
    - 2. Adapt toilets in rail compartments, vessels,

- aircrafts and waiting rooms in such a way as to permit the wheel chair users to use them conveniently.
- 3. Braille and sound symbols in lifts
- 4. All the places of public utility shall be made barrier-free
- 5. 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 scale. No promotion can be denied because of impairment
- VI. Research and Manpower Development
 

Research in the following areas may be sponsored and promoted

  - 1. Prevention of disability
  - 2. Rehabilitation including Community Based Rehabilitation (CBR)
  - 3. Development of assistive devices
  - 4. Job identification
  - 5. On site modifications of offices and factories
  - 6. Financial assistance for undertaking research
- IX. Social Security
  - 1. Financial assistance to Non-governmental organizations (NGO)
  - 2. Insurance coverage
  - 3. Unemployment allowance
- X. Miscellaneous
  - 1. Grievance redressal
  - 2. Chief Commissioner – Centre
  - 3. Commissioner for persons with disabilities – States

A Medical Board (consisting of at least three members out of which at least one shall be a specialist in the particular field for assessing locomotor/visual including low vision/hearing and speech disability, mental retardation and leprosy cured, as the case may be) issues permanent disability certificate. Thus it becomes a part of a spectrum of activities conducted by

a rehabilitation team.

Awareness is the most important factor that decides the effective utilization of any program intended for welfare of community. It plays an essential part in the ultimate psycho-socio-vocational rehabilitation of its beneficiary. Therefore it is necessary to frequently assess the awareness of any program among its beneficiaries, implementers and any contact persons to know the success or effectiveness of it.

### Objectives of the survey

1. To assess the degree and level of awareness of main provisions of the "Persons With Disabilities Act" (PWD Act) in its beneficiaries.
2. To assess the level of awareness of the same Act among various members of Rehabilitation Team who are in frequent contact with the beneficiaries.

### Survey Protocol

Thirty six (36) persons who attended Physical Medicine and Rehabilitation (PMR) OPD, AIIMS for procuring Disability Certificate (DC), Railway Concession Certificate (RCC) or for renewing old DC were interviewed. After taking consent, relevant data was obtained. Children less than 5 years of age and those persons unwilling to participate in the survey were excluded. For children and those with cognitive impairment, information was obtained from guardian.

Thirty (30) Rehabilitation Team Members including Resident Doctors, Physiotherapists, Occupational therapists, Medical Social Services Officers (MSSO), Staff Nurse, Public Health Nurse (PHN) and Prosthetic and Orthotic Engineers were given questionnaires to fill up. There was no compulsion to take part in the study and

**Table 1. Characteristics noted in beneficiaries**

Characteristics of beneficiaries		Number
Educational status	Illiterate	3
	Can read & write but no formal education	0
	Primary	4
	Middle	14
	Higher secondary	7
	Graduate/postgraduate	8
	Professional	0
	Socio-economic status	Low
Middle		11
Possessed a DC	High	3
	Yes	23
Ever used DC	No	13
	Yes	10/23
	No	13/23

anonymity was maintained.

### Outcome of the survey

Total of 66 persons, 36 PWD Act beneficiaries and 30 Rehabilitation Team Members were interviewed.

Out of 36 beneficiaries of PWD Act, only 3 were illiterate and 22 belonged to low socio-economic status (Table 1). Out of 23 persons who had a disability certificate (DC), only 10 (43.5%) used it at least once.

Whereas 83% (30/36) of beneficiaries of PWD Act had not heard of the Act, 83% (25/30) of rehabilitation team members were aware of it (Table 2). Though many staff members were aware of most of the main provisions of the Act, few knew the details. Same was the case with beneficiaries. The provisions which both groups

expressed are given in Table 2. None of the persons in either group had mentioned anything other than this.

**Table 2. Awareness in beneficiaries and staff members**

Awareness of Subdivisions of Main Provisions		Number-Beneficiaries	Number Staff
Heard of PWD Act?	Yes 6	25	
	No 30	5	
Education	Free education till 18 years	2	6
	Special schools	0	4
	Part-time classes	1	0
	Scholarships	0	6
	Free of cost books, uniforms etc.	1	0
Employment	3% reservation in employment 3% reservation in Govt. educational institutions	10	14
	Relaxation of upper age limit	2	5
	Health & safety measures at job	1	0
	3% reservation in poverty alleviation schemes	1	0
		0	1
Affirmative action	Schemes for aids & appliances	2	12
	Preferential land allotment	11	6
Social security	Financial assistance to NGO	0	2
	Insurance schemes	4	2
	Unemployment allowance	6	0
Miscellaneous	Travel concessions	36	30
	Income Tax Rebate	3	28

## Discussion

No such study has been conducted in the past. Awareness of PWD Act is incomplete in Rehabilitation Team Members and is negligible in beneficiaries. The deficiency or lack of awareness may be due to less stress on this topic in day-to-day practice. Beneficiaries often come to know about the Act by word of mouth and have a distorted picture.

Misconception expressed by some of the beneficiaries was that illegal encroachment is allowed for persons with disabilities.

## Striking facts and Conclusions

Eighty three percent of persons with disabilities included in this survey did not know that there is an Act of Parliament for protection

of their rights.

Many people knew about provisions related to employment. All responders surveyed knew about travel concessions and all beneficiaries availed the same. Three beneficiaries (8.3%) in high socio-economic category and 93% of staff members were aware of Income tax rebate.

There was nominal response to the provision of non-discrimination in both categories. None in either groups mentioned anything related to prevention and early detection of disabilities or about grievance redressal.

**Proposed suggestions and Recommendations**

Beneficiaries: Expression of knowledge and awareness can be encouraged in day-to-day practice. Reinforcing correct information by various team members during hospital visits may be welcome. Peer group discussions moderated by MSSO or PHN is practical and especially preferred after the medical board assessment.

Rehabilitation Team Members: Departmental meetings and group discussions help sharing of knowledge and increasing awareness and latest provisions.

Public awareness lectures gather attention especially on such days like Independence Day or International Disability Day.

**“Promoting Awareness: Supporting Freedom”**

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