

Expanding the Horizons of Disability Law in India from a Human Rights Perspective

¹Mr. Nikunj Mehta, ²Dr. Md. Azam Ghause

¹(PRN. 231104107011), Sandip University Nashik Campus, Mahiravani Trimbak Road, Nashik-422213. nikunjmehta2014@gmail.com

²Assistant Professor, School Of Law, Nashik Campus, Nashik, Unique Id No: 2024070407001. azam.ghause@sandipuniversity.edu.in

ARTICLE INFO

Received: 18 Dec 2024

Revised: 02 Feb 2025

Accepted: 14 Feb 2025

ABSTRACT

This paper highlights the shift from a welfare-based to a rights-based approach by analysing the development and growth of disability law in India from a human rights viewpoint. It examines critically how the Rights of Persons with Disabilities Act of 2016 has affected the social inclusion, equality, and accessibility of people with disabilities. Despite the progressive legal framework, implementation challenges persist due to infrastructural limitations, bureaucratic inefficiencies, and societal attitudes that hinder effective enforcement. The study explores key areas such as inclusive education, employment opportunities, accessibility in public spaces, and the role of assistive technology in empowering persons with disabilities. It also examines the gaps between legal provisions and their practical application, emphasizing the need for enhanced monitoring mechanisms, policy interventions, and collaborative efforts between government agencies, private sectors, and civil society organizations. Findings suggest that while India has made notable strides in disability rights, significant work remains in terms of enforcement, awareness, and attitudinal shifts. Strengthening policy implementation, ensuring financial support for accessibility initiatives, and promoting active participation of persons with disabilities in decision-making processes are essential steps towards achieving inclusivity. The report promotes a comprehensive strategy that combines social, legal, and economic tactics to close current gaps and create an atmosphere where disability rights are acknowledged and fully realised. It further emphasizes the importance of continuous advocacy, research, and technological advancements in promoting accessibility and improving the quality of life for persons with disabilities. The study concludes that true inclusivity requires sustained efforts across multiple levels of society, ensuring that disability laws effectively translate into tangible benefits and uphold the dignity and rights of all individuals.

Keywords: Disability rights, accessibility, inclusion, human rights, policy implementation.

INTRODUCTION

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, marked the start of the legislative process. Its primary goal was rehabilitation, not the assertion of the inalienable rights of people with disabilities (Kumar, 2018). However, with the 2006 ratification of the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which emphasised the need for an inclusive society where people with disabilities are acknowledged as right-holders, the global perspective on disability changed (Degener, 2016). After India accepted the CRPD in 2007, a legal revision was required, and the Rights of Persons with Disabilities Act, 2016 was the result. This Act marked a paradigm shift by broadening the definition of disability, promoting accessibility, and incorporating provisions for anti-discrimination measures (Mishra, 2019). In order to provide barrier-free surroundings in accordance with Article 9 of the CRPD, the government also started the Accessible India Campaign (Sugamya Bharat Abhiyan) in 2015 (Sharma, 2020). Despite these advancements, challenges persist in implementing disability rights effectively due to societal biases, inadequate infrastructure, and limited awareness (Gupta, 2021). Strong legal enforcement, more public awareness, and the active involvement of people with disabilities in policymaking are all necessary to address these problems. Although India has made great strides in broadening the scope of disability legislation from a human rights standpoint, ongoing work is necessary to ensure an inclusive and fair society by converting legislative provisions into real benefits for people with disabilities (Rao, 2022). The 1995 passage of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act marked the beginning of India's legislative path to address disability rights. This Act was a significant step in recognising the importance of equal opportunity and protecting the rights of people with disabilities. However, rather than highlighting the fundamental rights of people with disabilities, its main objective was to provide a framework for welfare and rehabilitation. The United Nations Convention on the Rights of Persons with Disabilities (CRPD), which was adopted in 2006, significantly altered the worldwide perception of disability. People with disabilities must be

seen as active rights holders who are entitled to full and discrimination-free participation in society, according to the CRPD. India's 2007 ratification of the CRPD demonstrated its adherence to these ideals and made it necessary to review its domestic legislation in order to bring it into compliance with international norms. India passed the Rights of Persons with Disabilities Act in 2016 as part of its commitments under the CRPD. By taking a rights-based stance and emphasising accessibility, equality, and nondiscrimination, this law marked a paradigm change. The Act highlighted the significance of accessibility in physical surroundings, transportation, information, and communication while broadening the definition of disability to include 21 categories. Additionally, it established authorities to supervise the Act's execution and included safeguards for the protection of rights.

Accessible India Campaign

In 2015, the government started the Accessible India Campaign (Sugamya Bharat Abhiyan) to support legislative actions. By improving accessibility to information and communication technology, transportation, and physical infrastructure, this effort seeks to eliminate barriers for people with disabilities. The campaign is in line with Article 9 of the CRPD, which highlights accessibility as a key component of empowering people with disabilities to live freely and actively engage in all facets of society. Notwithstanding these encouraging advancements, obstacles still stand in the way of India's disability legislation being effectively implemented. The complete realisation of rights for people with disabilities is still hampered by problems including social attitudes, poor infrastructure, and low knowledge. A holistic strategy is needed to address these issues, one that includes active participation of people with disabilities in policy-making processes, ongoing awareness efforts, and strict enforcement of current legislation.

REVIEW OF LITERATURE

In accordance with international human rights norms, India's disability law has undergone a substantial shift from a welfare-oriented to a rights-based structure. The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act of 1995 marked the start of the legislative process and was mainly concerned with welfare and rehabilitation programs for people with disabilities (Kothari, 2012). With a focus on equal opportunity and rights protection, this Act was India's first attempt to address the needs of people with disabilities. However, it lacked a comprehensive rights-based perspective, often resulting in limited enforcement and awareness among stakeholders (Aneraye & Shirpurkar, 2023).

The United Nations Convention on the Rights of Persons with Disabilities (CRPD), which was adopted in 2006 and ratified by India in 2007, marked a paradigm change on a worldwide scale. In order to bring current domestic legislation into compliance with international norms, the CRPD placed a strong emphasis on acknowledging people with disabilities as active rights holders (Adlakha & Guha, 2011). India responded by passing the Rights of Persons with Disabilities Act in 2016, which signalled a dramatic change to a rights-based strategy. This Act expanded the definition of disability from seven to twenty-one categories, acknowledging a broader spectrum of disabilities, including specific learning disabilities and acid attack survivors (Kothari, 2012). Additionally, the Act established strict anti-discrimination regulations, requiring accessibility in information and communication technology, public areas, and transportation (Aneraye & Shirpurkar, 2023). Additionally, it recommended the creation of special courts to deal with situations involving the infringement of the rights of people with disabilities, guaranteeing prompt justice and rights enforcement (IDR, 2023).

Despite these legislative advancements, challenges persist in the effective implementation of disability laws in India. Societal attitudes towards disability often remain entrenched in stigma and discrimination, hindering the full realization of rights for persons with disabilities (Aneraye & Shirpurkar, 2023). Additionally, inadequate infrastructure and limited awareness among stakeholders, including government officials, service providers, and the general public, continue to impede the enforcement of disability rights (Kothari, 2012). The Accessible India Campaign (Sugamya Bharat Abhiyan), launched in 2015, aims to address these challenges by creating a barrier-free environment, focusing on enhancing accessibility to physical infrastructure, transportation, and information and communication technologies (IDR, 2023). However, the success of such initiatives largely depends on robust enforcement mechanisms, continuous awareness campaigns, and the active involvement of persons with disabilities in policymaking processes (Aneraye & Shirpurkar, 2023). India's efforts to broaden the scope of disability law from a human rights standpoint demonstrate a remarkable dedication to protecting the rights and dignity of people with disabilities. Even though progressive laws and programs have made great progress, more work is needed to guarantee

that these legal frameworks result in real improvements in the lives of people with disabilities and promote an inclusive and equitable society (Kothari, 2012).

RESEARCH OBJECTIVES

- i. To analyze the evolution of disability laws in India from a human rights perspective.
- ii. To examine the challenges in the implementation of disability rights and policies.
- iii. To assess the impact of the Rights of Persons with Disabilities Act, 2016, on social inclusion and accessibility.

RESEARCH METHODOLOGY

The present study adopts a **doctrinal research approach**, relying primarily on secondary data to analyze the evolution, implementation, and challenges of disability laws in India from a human rights perspective. The research follows a **qualitative design**, focusing on legal analysis, case studies, and policy evaluation. The study extensively reviews existing legislation, including the Rights of Persons with Disabilities Act, 2016, the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, and relevant constitutional provisions. International legal frameworks such as the United Nations Convention on the Rights of Persons with Disabilities (CRPD) are also examined to assess India's alignment with global disability rights standards. The **secondary data sources** include government reports, legal statutes, judicial decisions, academic journals, books, and reports from national and international human rights organizations. A critical analysis of landmark case laws and judicial pronouncements is conducted to understand the judiciary's role in shaping disability rights jurisprudence in India. Additionally, policy documents and reports from organizations such as the National Human Rights Commission, Disability Rights Organizations, and the Ministry of Social Justice and Empowerment are analyzed to assess the implementation and impact of disability laws. The study employs a **comparative method** to evaluate India's legal framework against international best practices in disability rights. Further, a **content analysis** of academic literature, legal commentaries, and policy documents helps identify gaps and challenges in the legal and institutional framework. The research methodology involves a systematic review of secondary data sources to ensure a comprehensive understanding of the subject matter. By integrating legal, social, and policy perspectives, the study aims to provide a holistic view of the effectiveness and shortcomings of disability law in India. It is anticipated that the results would add to the current discussion on disability rights by emphasising the legislative changes and policy changes that are required to improve the safety and participation of people with disabilities in India.

RESULTS AND FINDINGS

1. Evolution of the Disability Laws

In line with international human rights norms, India's disability legislation have undergone a substantial shift from a welfare-based to a rights-based framework. Legislative achievements, changes to policies, and an increasing awareness of the rights and dignity of people with disabilities have all been hallmarks of this journey.

Early Developments: Pre-Independence Era

The address on disability rights in India can trace its roots back to the pre-independence era, where societal attitudes were largely influenced by charity and welfare perspectives. Persons with disabilities were often viewed through a lens of pity, leading to their marginalization. There was a lack of formal legal frameworks addressing their rights, and societal support was minimal.

Post-Independence Initiatives: Welfare Approach

Following independence in 1947, India began to address social issues, including disability, through a welfare-oriented approach. The Constitution of India, adopted in 1950, enshrined principles of equality and non-discrimination. While it did not explicitly mention disability, its provisions laid the groundwork for future legislation. The government established various committees and introduced schemes aimed at rehabilitation and vocational training for persons with disabilities, reflecting a paternalistic approach focusing on care rather than rights.

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, which was passed in 1995, marked a dramatic change. Inspired by the 1992 Proclamation on the Full Participation and Equality of People with Disabilities in the Asian and Pacific Region, this law was India's first comprehensive law pertaining to disability rights. The Act aimed to provide equal opportunities and protect the rights of persons with disabilities,

covering aspects such as education, employment, and accessibility. However, its implementation faced challenges due to limited awareness, inadequate enforcement mechanisms, and societal attitudes that continued to view disability through a welfare lens.

International Influence: United Nations Convention on the Rights of Persons with Disabilities (CRPD)

The United Nations Convention on the Rights of Persons with Disabilities (CRPD), which was adopted in 2006, changed the way that people throughout the world see disability. A rights-based approach was highlighted by the CRPD, which acknowledged people with disabilities as contributing members of society with inalienable rights. When India ratified the CRPD in 2007, it demonstrated its commitment to bringing its laws into compliance with international norms, which called for a thorough examination and revision of the country's current laws.

The Rights of Persons with Disabilities Act, 2016

India passed the Rights of Persons with Disabilities Act in 2016 in response to its international commitments and the demand for a stronger legal system. By extending the concept of disability from seven to twenty-one categories—including diseases like multiple sclerosis, autism, and cerebral palsy—this Act marked a paradigm change towards a rights-based approach. Strong anti-discrimination laws were put into place, accessibility in public areas, transit, and ICTs was required, and sanctions for infractions were outlined. The Act also emphasized the importance of education and employment, reserving seats in higher educational institutions and government jobs for persons with disabilities.

Policy Initiatives: Accessible India Campaign

The government started the Accessible India Campaign (Sugamya Bharat Abhiyan) in 2015 with the goal of removing barriers for people with disabilities in order to support legislative actions. In accordance with Article 9 of the CRPD, the campaign's main goal was to improve accessibility to information and communication services, transportation, and physical infrastructure. Despite these efforts, challenges persist in achieving universal accessibility, highlighting the need for continuous monitoring and implementation.

Judicial Contributions: Advancing Disability Rights

In India, the court has been essential to the advancement of disability rights. Courts have upheld the rights of people with disabilities by interpreting constitutional provisions in a number of historic rulings. For example, the Supreme Court upheld the equality principle in the 1999 case of *Javed Abidi v. Union of India* by ordering the government to provide accessible public facilities.

Despite significant legislative and policy advancements, the effective implementation of disability rights in India faces several challenges. The full realisation of rights for people with disabilities is hampered by societal views on disability, which are frequently still rooted in stigma and prejudice. Furthermore, the implementation of disability rights is also hampered by a lack of knowledge among stakeholders, including the general public, service providers, and government representatives, as well as by inadequate infrastructure. Strong legal enforcement, more public awareness, and the active involvement of people with disabilities in policymaking are all necessary to address these problems. India's efforts to broaden the scope of disability law from a human rights standpoint demonstrate a remarkable dedication to protecting the rights and dignity of people with disabilities. Although progressive laws and initiatives have achieved great progress, continued efforts are necessary to guarantee that these legal frameworks result in noticeable improvements in the lives of people with disabilities. Even if progressive laws and programs have made great progress, more work is needed to guarantee that these legal frameworks really enhance the lives of people with disabilities and promote an inclusive and equitable society.

Challenges faced by the authorities in implementation

The implementation of disability rights in India faces multifaceted challenges, encompassing legislative gaps, societal attitudes, infrastructural inadequacies, and enforcement issues. Despite progressive laws like the Rights of Persons with Disabilities (RPWD) Act, 2016, the translation of these legal provisions into tangible benefits for persons with disabilities remains fraught with obstacles.

One significant challenge is the inconsistency and non-compliance within the existing legal framework. The RPWD Act, while comprehensive, encounters issues in its enforcement across various sectors, notably in educational institutions. Many schools and colleges lack the necessary infrastructure and support systems to accommodate students with special needs, leading to their exclusion from mainstream education. This non-compliance not only

violates the provisions of the RPWD Act but also perpetuates systemic discrimination against persons with disabilities. Judicial interventions have attempted to address these challenges. In the landmark case of *Rajive Raturi v. Union of India*, the Supreme Court emphasized the need for accessible infrastructure, directing the government to ensure that public places are made accessible to persons with disabilities. Despite such directives, the pace of implementation has been slow, reflecting a gap between judicial pronouncements and ground realities.

Another critical issue is the lack of awareness and sensitivity among stakeholders, including policymakers, educators, employers, and the general public. This attitudinal barrier often results in discrimination and exclusion of persons with disabilities from various aspects of social, economic, and political life. For instance, in the case of *Vikash Kumar v. Union Public Service Commission*, the petitioner, who had a disability, was denied reasonable accommodation during a competitive examination. The Supreme Court held that failure to provide such accommodations constitutes discrimination, underscoring the need for systemic changes to uphold the rights of persons with disabilities. Employment remains a sector with significant challenges. Despite legal mandates for reservation in public employment, the actual representation of persons with disabilities in the workforce is minimal. This disparity is partly due to the lack of enforcement of reservation policies and the absence of reasonable accommodations in workplaces. Additionally, societal prejudices and misconceptions about the capabilities of persons with disabilities further hinder their employment prospects. The healthcare sector also presents challenges in implementing disability rights. Persons with disabilities often face barriers in accessing healthcare services, including physical inaccessibility of healthcare facilities, lack of trained medical personnel, and inadequate communication support for those with sensory impairments. These challenges are exacerbated for individuals with psychosocial disabilities, who may encounter stigma and discrimination within healthcare settings. Furthermore, the lack of robust data on persons with disabilities impedes effective policy formulation and implementation. Accurate data is essential for understanding the prevalence of disabilities, identifying specific needs, and allocating resources appropriately. The absence of such data leads to gaps in service delivery and undermines efforts to promote inclusion.

In conclusion, while India has made significant strides in enacting progressive disability rights legislation, the implementation of these rights is hindered by various challenges. Addressing these issues requires a multifaceted approach, including strengthening enforcement mechanisms, raising awareness, building accessible infrastructure, ensuring reasonable accommodations, and collecting comprehensive data. Only through such concerted efforts can the vision of an inclusive society, as envisaged by the RPWD Act, be realized.

2. Impact of the Rights of Persons with Disabilities Act, 2016, on social inclusion and accessibility.

The Rights of Persons with Disabilities (RPwD) Act, 2016, represents a pivotal shift in India's approach to disability, transitioning from a welfare-based perspective to a rights-based framework. This legislation aligns with the principles of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which India ratified in 2007, aiming to promote, protect, and ensure the full and equal enjoyment of all human rights by persons with disabilities. The Act encompasses various provisions designed to enhance social inclusion and accessibility, thereby striving to integrate individuals with disabilities into mainstream society.

Legislative Framework and Provisions

The RPwD Act, 2016, expanded the definition of disability from seven to twenty-one categories, including conditions such as autism spectrum disorder, cerebral palsy, and multiple sclerosis. This inclusive definition ensures a broader spectrum of individuals receive legal protection and benefits. The Act mandates non-discrimination in employment, education, and access to public services, emphasizing the need for reasonable accommodation and accessibility measures. It also stipulates a 4% reservation in government jobs and a 5% reservation in higher educational institutions for persons with benchmark disabilities, thereby promoting their participation in public life.

Impact on Social Inclusion

The Act's emphasis on non-discrimination and equal opportunities has led to increased awareness and initiatives aimed at integrating persons with disabilities into various societal domains. Educational institutions are now more cognizant of the need for inclusive education, leading to the development of tailored curricula and support systems. Vocational training programs have been initiated to enhance employability, and there is a growing recognition of the

importance of accessible recreational and cultural facilities. These measures collectively contribute to the social inclusion of persons with disabilities, enabling them to participate more fully in community life.

Challenges in Implementation

Despite the progressive provisions of the RPwD Act, challenges persist in its implementation. A study conducted by the Disability Rights India Foundation (DRIF) in 2018 across 24 states revealed poor compliance, with more than half the states yet to notify the State Rules as mandated by the Act. This delay hampers the uniform application of the Act's provisions, leading to disparities in the enforcement of disability rights across the country. Additionally, societal attitudes towards disability often remain entrenched in stigma and discrimination, further hindering the Act's effectiveness.

Judicial Interventions

The judiciary has played a crucial role in interpreting and enforcing the provisions of the RPwD Act. In the case of *Rajive Raturi v. Union of India*, the Supreme Court underscored the necessity of accessible infrastructure, directing the government to ensure that public places are made accessible to persons with disabilities. Similarly, in *State of Kerala & Ors. v. Leesamma Joseph*, the Court held that persons with disabilities are entitled to reservation in promotion under the scheme of the RPwD Act, 2016, reinforcing the Act's mandate for equal opportunity and affirmative action.

Case Studies and Regional Implementation

The implementation of the RPwD Act varies across different regions. A case study of secondary schools in Aizawl, Mizoram, analyzed how the Act is being implemented in selected schools. The study highlighted concerns regarding the adequacy of infrastructural facilities to meet the needs of differently-abled students, questioning the feasibility of current provisions. Such regional assessments are crucial for identifying gaps and formulating targeted interventions to ensure effective implementation.

Recommendations for Enhancing Social Inclusion and Accessibility

To address the challenges and enhance the effectiveness of the RPwD Act, several measures can be undertaken:

1. **Strengthening Implementation Mechanisms:** States should expedite the notification of State Rules and establish monitoring bodies to oversee the enforcement of the Act's provisions. Regular audits and assessments can ensure compliance and identify areas needing improvement.
2. **Awareness and Sensitization Programs:** Conducting awareness campaigns can help change societal attitudes towards disability, promoting acceptance and inclusion. Sensitization programs for employers, educators, and public service providers can foster a more inclusive environment.
3. **Capacity Building:** Training programs for stakeholders involved in implementing the Act, including government officials and service providers, can enhance their understanding and ability to effectively apply the Act's provisions.
4. **Infrastructure Development:** Investing in accessible infrastructure, such as ramps, tactile pathways, and accessible public transportation, is essential to facilitate the mobility and participation of persons with disabilities.
5. **Data Collection and Research:** Establishing comprehensive databases on persons with disabilities can aid in policy formulation and resource allocation. Further research into the barriers faced by persons with disabilities can inform more effective interventions.

The RPwD Act, 2016, signifies a monumental step towards recognizing and protecting the rights of persons with disabilities in India. While significant progress has been made in promoting social inclusion and accessibility, continuous efforts are required to overcome the existing challenges. Through concerted action involving legislative enforcement, societal change, and infrastructural development, the vision of an inclusive society where persons with disabilities can lead dignified and fulfilling lives can be realized.

DISCUSSION OF THE STUDY

The discussion of this study highlights the evolving landscape of disability rights in India, emphasizing the shift from a welfare-based to a rights-based approach. The implementation of disability laws, particularly the Rights of Persons

with Disabilities Act, 2016, has been instrumental in ensuring equal opportunities, accessibility, and social inclusion for individuals with disabilities. However, despite the progressive legal framework, challenges persist in achieving full implementation. Barriers such as inadequate infrastructure, lack of awareness, and resistance to change continue to hinder the effectiveness of disability laws. In educational institutions, while policies mandate inclusive education, the lack of trained personnel and accessible learning materials often results in exclusionary practices. Similarly, employment opportunities for persons with disabilities remain limited, with many facing discrimination despite legal provisions ensuring workplace accommodations and reservations. The need for widespread awareness and sensitization is evident, as societal attitudes toward disability continue to be shaped by deep-rooted biases and misconceptions. Efforts to improve accessibility in public spaces, transportation, and digital platforms are underway, yet significant gaps remain in execution. Financial constraints, bureaucratic inefficiencies, and lack of enforcement mechanisms contribute to these issues, making it imperative for government agencies, private sectors, and civil society organizations to work collaboratively. Additionally, the role of technology in enhancing accessibility and inclusion has gained prominence, with assistive technologies and digital innovations providing new opportunities for persons with disabilities. However, the affordability and availability of such technologies remain areas of concern. The study also underscores the importance of policy implementation at the grassroots level, ensuring that disability rights are not just legally recognized but practically enforced. Strengthening monitoring mechanisms, conducting regular audits, and encouraging participation from the disability community in policymaking can enhance the effectiveness of these laws. Furthermore, a holistic approach integrating education, employment, healthcare, and social welfare is crucial for creating a truly inclusive society. The discussion suggests that while legal advancements have laid the foundation for disability rights in India, continued efforts in advocacy, capacity-building, and infrastructure development are necessary to bridge the existing gaps. Addressing attitudinal barriers, improving access to resources, and fostering a culture of inclusivity will be key to ensuring that persons with disabilities can lead independent and dignified lives. Future research should focus on evaluating the impact of existing policies, identifying best practices, and exploring innovative solutions to enhance accessibility and inclusion. The overall findings of this study indicate that while significant strides have been made in disability law, there is a pressing need for sustained efforts to translate legal rights into tangible benefits for persons with disabilities, thereby fostering a society that values diversity, equity, and human dignity.

CONCLUSION

The study underscores the significant progress made in disability law in India, particularly through the Rights of Persons with Disabilities Act, 2016, which has played a crucial role in shifting the discourse from charity to rights-based inclusion. However, despite these legislative advancements, the practical implementation of disability rights remains a challenge due to infrastructural inadequacies, bureaucratic inefficiencies, and societal attitudes that continue to foster discrimination and exclusion. The findings indicate that while legal provisions exist to ensure accessibility, employment opportunities, inclusive education, and social security for persons with disabilities, enforcement gaps hinder their full realization. Many individuals still face barriers in accessing education, workplaces, and public spaces, making it imperative to strengthen implementation mechanisms and enhance accountability measures. The study highlights the need for increased awareness, training, and sensitization across all sectors, ensuring that disability rights are recognized and upheld in practice. Additionally, the role of technology in promoting accessibility presents new opportunities, but affordability and widespread availability remain concerns that require policy attention. Collaboration between government bodies, civil society, private organizations, and disability rights activists is essential to address existing gaps and create a truly inclusive society. Policymakers must focus on strengthening monitoring frameworks, providing financial incentives for accessibility initiatives, and promoting active participation of persons with disabilities in decision-making processes. The study concludes that while India has made commendable strides in disability rights, achieving true inclusivity requires continuous efforts to bridge the gap between legal provisions and their on-ground impact. A holistic approach integrating legal, social, and economic measures will be crucial in ensuring that persons with disabilities can exercise their rights fully and lead independent, dignified lives. Moving forward, sustained advocacy, research, and policy refinement will be essential in advancing disability rights and fostering a more equitable society for all.

REFERENCES

- [1] Adlakha, R., & Guha, S. K. (2011). Protecting the disabled persons under the human rights regime: The shift from welfare to rights. *Journal of Indian Law & Society*, 2, 29-54.

-
- [2] Aneraye, A. V., & Shirpurkar, S. K. (2023). Review of Indian legislation for persons with disabilities. *International Education and Research Journal*, 9(4), 1-4.
- [3] Degener, T. (2016). Disability in a human rights context. *Laws*, 5(3), 35. <https://doi.org/10.3390/laws5030035>
- [4] Gupta, R. (2021). Challenges in implementing disability rights in India: A socio-legal perspective. *Journal of Disability Policy Studies*, 31(2), 112-126. <https://doi.org/10.1177/1044207320984532>
- [5] IDR. (2023). A primer on India's disability law. Retrieved from <https://idronline.org/article/rights/a-primer-on-indias-disability-law/>
- [6] Kothari, J. (2012). *The future of disability law in India: A critical analysis of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995*. Oxford University Press.
- [7] Kumar, S. (2018). From welfare to rights: The evolution of disability laws in India. *Indian Journal of Law and Society*, 45(1), 67-89.
- [8] Mishra, P. (2019). The Rights of Persons with Disabilities Act, 2016: A step towards inclusion. *International Journal of Human Rights Law*, 12(4), 245-261. <https://doi.org/10.1080/13642987.2019.1599243>
- [9] Rao, V. (2022). Expanding the horizons of disability law in India: A critical analysis of legal and policy frameworks. *Indian Law Review*, 5(1), 89-108. <https://doi.org/10.1080/24730580.2022.2104567>
- [10] Sharma, N. (2020). The Accessible India Campaign: Assessing progress and challenges. *Disability & Society*, 35(6), 1024-1042. <https://doi.org/10.1080/09687599.2020.1734215>