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A CRITICAL EVALUATION OF VULNERABLE SECTIONS OF SOCIETY AND PERSONS WITH DISABILITY -A HUMAN RIGHTS PERSPECTIVE

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Abstract

Human rights attach to all people equally, by virtue of their humanity, irrespective of race, nationality, or membership of any particular social group. They specify the minimum conditions for human dignity and a tolerable life. Human rights are those which are inherent to all human beings whatever be the nationality, place of residence, sex, national or ethnic origin, color, religion, language, or status in the society. Human rights encompass a wide variety of rights like right to life, right to freedom of religion, right to equality before law, economic, social and cultural rights, such as right to work, security and education, etc. Human rights are universal and moral. All individuals are entitled to these rights without any discrimination on any ground. All these rights are interdependent, inter-related and indivisible.

The Constitution of India provides hope and source to millions of its citizens. Through a highly democratic process the Constitution attempts to provide relief to every class of people. It provides for equality and how equality can be achieved for those who have been suppressed for centuries. The process of achieving equality is not easy. When for centuries and centuries people have suffered and kept in a state of utter backwardness. It will take some time for total equality to be achieved in India. Under Article 14 of the Constitution, 'Right to Equality' is provided to all citizens in the form of equality before law and equal protection of laws. Articles 15 and 16 of the Constitution discrimination on grounds of religion, race, caste, sex, place of birth or any of them is prohibited.

The enforcement of the Protection of Human Rights Act, 1993 has opened the door for treating disability as a Human Rights issue. India has ratified the International Covenant on Economic, Social and Cultural Rights and also the International Covenant on Civil and Political Rights which together lay down the foundation of protecting Human Rights in India. The National and the State Human Rights Commissions have done their best to ensure that the rights of the disabled person are taken very seriously and the State does its best to help in employment, health and professional training.

The language of Human Rights was unknown in context with disabled persons in different International and Regional Covenants up to 2006. However, for the first time when United Nation adopted the standard rules for the persons with disabilities, the rights of persons with disabilities were treated as human rights by thus providing a thought to treat the persons with disabilities not as objects but as subjects of rights and duties. The said standard rules however were not binding, therefore it may be submitted authoritatively the rights of disabled persons were not treated as human rights. A significant boon came to the persons with disability when the United Nation adopted the International Convention to (Protect and Promote) the Rights and Dignities of Disabled persons,

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2006 according to which, authoritatively the rights of the persons with disabilities were treated as human rights.

Key Words: *Vulnerable Sections, Persons with Disabilities, Human Rights, Equality, International Covenant.*

Introduction

Human rights can be defined as the fundamental rights which the humans have by the fact of being human, and which are neither created nor abrogated by any government. Supported by several international conventions and treaties (such as the Universal Declaration of Human rights in 1948), these include cultural, economic, and political rights, such as right to life, liberty, education and equality before law, and right of association, belief, free speech, information, religion, movement, and nationality. Promulgation of these rights is not binding on any country, but they serve as a standard of concern for people and form the basis of many modern national constitutions.

The enforcement of the Protection of Human Rights Act, 1993 has opened the door for treating disability as a Human Rights issue. India has ratified the International Covenant on Economic, Social and Cultural Rights and also the International Covenant on Civil and Political Rights which together lay down the foundation of protecting Human Rights in India. The National and the State Human Rights Commissions have done their best to ensure that the rights of the disabled person are taken very seriously and the State does its best to help in employment, health and professional training.

Concept of Human Rights

The meaning of Human Rights in common man language may be human rights are those rights which are applicable to human rights. While their applicability to human beings, there is no distinction based on Caste, Creed, Colour, Sex, Gender, etc., thus human rights are said to be Universal.

It is not easy to provide a precise definition of human rights. The author is of apprehension that none of International Instruments have defined the term Human Rights. However, the definition of Human Rights could be found in the Protection of Human Rights Act, 1993 of India. The said Act defines[1] 'Human Rights' means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the international covenants and enforceable by courts in India.

Protection of Human Rights Act, 1993

This Act was passed in the year 1993 with a view to provide for a constitution of a National Human Rights Commission, State Human Rights Commission and Human Rights Courts for better protection of human rights and for matters concerned therein. It lays down provisions for – constitution of National Human Rights Commission, appointment of its chairperson and other members, removal of the members of the Commission, term of office of members, terms and conditions of service of members, procedure to be regulated by the Commission, officers and other staff, functions and powers of the Commission and the method to be followed in case of a complaint. In the same way, these things are laid down in case of State Human Rights Commission.

The National Commission is empowered to inquire into and investigate complaints of human rights violations and recommend appropriate relief measures to the Government. At the state level, similar functions are entrusted to State Commissions[2]. The Act had a vowed objective of establishment of Human Rights Court at district level, apart from establishing

[1] Section 2 (1)(d) of Human Rights Act, 1993 of India.
[2] Available at http://www.halsburys.in/human-rights-protection.html accessed on 08/12/25.

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Human Rights Commissions at the national and state level[3]. Chapter VI of the Act deals with the Human Rights Courts. It also states that for every Human Rights Court, the State Government shall, by notification, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.[4]

The Act also contains provisions for grants and funds by the Central and State Governments as they find appropriate to the National and State Governments respectively. Both Central and State Commissions are required to keep proper accounts and records and is required to maintain annual accounts. The Commission cannot inquire into any matter which is pending before a State Commission or any other Commission duly constituted under any law for the time being in force.[5] The government of India can also constitute special investigating teams if necessary for investigation in the matters of human rights violations.[6] Also, no action can be taken against the Central or State government and National and State governments for anything done in good faith or with good intention in accordance with the rules of this Act. The Central and State governments can also make rules by notification to carry out the provisions of this Act. In case of any difficulty, the Central government can make provisions which are not inconsistent with the provisions of this Act and help in removing difficulty.

Vulnerable Sections of the Society

Children

Children form a very vulnerable part of the human societies. They deserve to be valued, nurtured, and have their rights protected by responsible adults. It is incumbent upon every human being to protect and nurture his biological children. The world shall be a better place depending on how children are treated today. Therefore, own selfish interests, it is advisable to wake up to the plight of vast number of children living in poverty, where they are denied their basic right to live as human beings. So pathetic is the condition of the world children that the UN has formulated The Convention on the Rights of the Child (CRC), in order to awaken slumbering nations to prevent the waste of their most valuable natural resource.[7]

India has more working children than any other nation. Despite Constitutional guarantee of civil rights, children face discrimination based on caste, religion and ethnicity. Even the basic need for birth registration that will assure them nationality and identity remain unaddressed, affecting children's right to basic services.

Everyday news of children dying of starvation, dipping sex ratio, child marriage, child trafficking, child abuse, etc. is very common. Violations of children's rights are not limited to poor and downtrodden only. They happen in middle class and elite homes also, though in different forms. Girls in vulnerable situations such as poverty, disability, homelessness etc. find themselves doubly disadvantaged, by their gender and the physical, economic, political, social situation that they find themselves in. It is therefore imperative to take a gender perspective into account in examining the situation of children.[8] Some other examples of violations of children's rights are pre-natal diagnostic techniques to determine the sex, illegal sale of babies, imposition of corporal punishment on the child, children as victims of crimes – sexual abuse, bonded labour, child labour, child prostitution, use by criminal gangs, juveniles, etc. Various legislations like Juvenile Justice (Care and Protection of Children) Act, 2000, Immoral Traffic (Prevention) Act, 1956, Child Marriage Restraint Act, 1929, etc. have been made in addition to the Protection of

[3] Available at http://news.indlaw.com/actionaid/August_Discusstion.asp accessed on 08/12/25.
[4] Section 31, Protection of Human Rights Act, 1993.
[5] Section 36(1), Protection of Human Rights Act, 1993.
[6] Section 37, Protection of Human Rights Act, 1993.
[7] supra note 11.
[8] Ibid.

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Human Rights Act, 1993, to deal with specific issues.

The Scheduled Castes and the Scheduled Tribes

The aim of any civilized society is to secure dignity to every individual. There cannot be dignity without equality of status and opportunity. The absence of equal opportunities in any walk of social life is a denial of equal status and equal participation in the affairs of the society. The condition of scheduled castes and scheduled tribes was very bad in the society. The Scheduled castes remained economically dependent, politically powerless and culturally subjugated to the upper caste. The Scheduled Tribes like the Scheduled Castes face structural discrimination within the Indian society. Unlike the Scheduled Castes, the Scheduled Tribes are a product of marginalization based on ethnicity.[9] Their birthright was the badge of shame; degradation; lifelong poverty; and their only fault was to be born to their parents.

In India, the population of Scheduled Tribes is around 8 million and they are socially and economically disadvantaged. They are mainly landless with little control over resources such as land, forest and water. They constitute a large proportion of agricultural labourers, casual labourers, plantation labourers, industrial labourers, etc. This has resulted in poverty among them, low level of education and reduced access to health care services. Initially as according to the hierarchy followed in the society, the work of the lowest caste in the society was to eliminate the pollution from the society. This caste was economically dependent on the upper caste for existence.[10]

One sixth of India's population live a precarious existence, shunned by much of Indian society because of their rank as 'untouchables' or 'Dalits' – literary meaning – broken people – at the bottom of the Indian caste system. Dalits are discriminated against, denied access to land and basic resources forced to work in degrading conditions and routinely abused at the hands of police and dominant caste groups that enjoy state protection. In the case of *Janki Prasad Parimoo Vs. State of Jammu and Kashmir* it was held that – ***"Article 15(4) speaks about 'socially and educationally backward classes of citizens', while Article 16(4) speaks only of 'any backward class of citizens'. However, it is now settled that the expression 'backward class of citizens' in Article 16(4) means the same thing as the expression 'any socially and educationally backward classes of citizens' in Article 15(4)."***[11]

When the Constitution of India was adopted in the year 1950, under the influence of Dr. B.R. Ambedkar, it departed from the norms and values of the caste system in favour of Justice, Liberty, Equality and Fraternity guaranteeing all citizens the basic human rights regardless of caste, creed, race or ethnicity. The implementation and enforcement of these principles have however been a dismal failure. Various legislations and rules like Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 have also been passed.

Women

Women face double discrimination being members of specific caste, class or ethnic group apart from experiencing gendered vulnerabilities. Women have low status as compared to men in the Indian society. They have little control over the resources and important decisions related to their lives. In India, early marriage and childbearing affects the health of the women adversely. Also, maternal mortality rate is very high. During infancy and growing years, a girl child faces different forms of violence like infanticide, neglect of nutrition needs, education and healthcare. As adults they face violence due to unwanted pregnancies, domestic violence, sexual abuse at the workplace and sexual

[9] Available at www.cehat.org accessed on 08/12/25.
[10] Ibid.
[11] Justice Basu Palok, Laws Relating to Protection of Human Rights Under the Indian Constitution and Allied Laws, Modern Law Publications, 1st edn., 2006, p. 107.

violence including marital rape and honor killings. The experience of violence and its impact on health varies according to the women's caste, class and ethnic identity. Women have always been exploited by the patriarchal society. Even after more than 78 years of our independence, Indian woman wear a pathetic look. They face an atmosphere of debilitating violence.[12]

Persons with Disability

As per the National Sample Survey Organization (NSSO) Census, 2001 there are approximately 21 million people in India are suffering from one or other kind of disabilities. As per the statistics reveled by Ministry of Social Justice and Empowerment Government of India in its National Policy Document on persons with disabilities mention that there are 93.01 lakh women with disabilities in India.[13] As per the Census of India 2001 out of 21 million population of disabled persons, 12.6 million are male and 9.3 million are female suffering from one or other type of disability which includes blindness, speech impairment, hearing impairment, mental illness and locomotor disability. If the total population of disabled persons are split into disability category wise the survey report[14] states that blindness 48.5%, locomotor disability 27.9%, mental illness 10.3%, speech impairment 7.5%, and hearing impairment 5.8%.

India enacted the Persons with Disability (Equal Opportunities, Protection of Rights and Full Participation) Act.[15] However, in view of a new international convention on rights of persons with disabilities 2008 adopted by India, a Bill known as The Rights of Persons with Disabilities Bill[16] is introduced in the Lok Sabha. All this signifies that India has not lagged behind in the community empowerment of the persons with disability by way of providing them various entitlements in the fields of education, employment, culture, sports, welfare and social security's aspects. The above referred 2014 Bill list out around 18 types of Disabilities as per the scheduled annexed to the Bill.

The Persons with Disabilities Right as Human Rights

The language of Human Rights was unknown in context with disabled persons in different International and Regional Covenants up to 2006. However, for the first time when United Nation adopted the standard rules for the persons with disabilities,[17] the rights of persons with disabilities were treated as human rights by thus providing a thought to treat the persons with disabilities not as objects but as subjects of rights and duties. The said standard rules however were not binding, therefore it may be submitted authoritatively the rights of disabled persons were not treated as human rights. A significant boon came to the persons with disability when the United Nation adopted the International convention to (protect and promote) the Rights and Dignities of Disabled persons, 2006 according to which, authoritatively the rights of the persons with disabilities were treated as human rights. By this the language of human rights was specifically used to refer persons with disabilities in the afore-said UN convention.

International Humanitarian Law and the Human Rights of Persons with Disabilities

Though International Law, International Humanitarian Law and Human Rights are distinct on their border lines, yet the broad objectives of the three laws remain the same for protecting the human dignity and for sustainable peace and development throughout the world. There is one or the other way a nexus or relation amongst these three laws.

From the plain reading of major sources of International Humanitarian Law, it may be submitted that none of the convention of the protocols have special mention about the

[12] Justice Basu Palok, Laws Relating to Protection of Human Rights Under the Indian Constitution and Allied Laws, Modern Law Publications, 1st edn., 2006, p. 229.
[13] National Policy for Persons with Disabilities, 2001.
[14] Census of India, 2001.
[15] 1995 of India.
[16] 2014 of India.
[17] Adopted by UNESCAP at Beijing on December, 1992.

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language of human rights of disabled persons yet, the author argues though there is no specific mention of the rights of disabled persons in International Humanitarian Law, but still there is a relationship that could be established, while referring to Art.11, 12, 18 and 38 of the recently adopted UN Convention for persons with disabilities, 2008.[18] The said convention came into force[19] when it was ratified by 20 countries as required by the provisions of said international convention to promote and protect the rights and dignities of Persons with Disabilities. India was one of the earliest country to ratify[20] the said convention.

Art.11 of the UN Convention for the Disabled Persons states that States Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety or persons with disabilities in situations of risk, including situations or armed conflict, humanitarian emergencies and the occurrence of natural disasters.

Thus, it may be submitted that in one way or other the International Humanitarian Law and Human Rights of disabled persons are related to each other by further reading of Art.12, 18 and 38 of UN Convention of disabled persons.

Poverty and Disability

Having mentioned the profile of disability statistics in the introduction, it would be appropriate to discuss the relationship between poverty and disability. Firstly, it would be necessary to know the main causes for disabilities in human beings.

Meaning of Poverty

Meaning of poverty as per UNDP International Poverty Center (December 2006): As per this publication there are five clusters for the meaning of poverty:

1. Income poverty
2. Poverty due to material lack or want
3. Poverty due to capability deprivation derived by Amartya Sen
4. Poverty due to multi-dimensional view of deprivation

In general, people with disabilities are estimated to make up to 15 to 20% of the poor in developing countries.[21] A survey of people with disabilities in India found that the direct cost of treatment and equipment varied from three days to two years income, with a mean of two months.[22]

Problem of Poverty in Persons with Disabilities

Before discussing the UN model and legislative model of concept of reasonable accommodation at workplace for Persons with Disabilities herein after referred as PWDs. The author submits that the utilitarian approach[23] which uses calculation of consequences in terms of additional costs and comparison of policies to determine which reform will achieve the best result for the least input to address the problem of poverty in persons with disabilities.

Reasonable Accommodation at Workplace for PWDs in India

The author of this article humbly submits that the term 'Reasonable Accommodation at Workplace' -is not defined in the persons with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 herein after referred as PWD Act, 1995. However, it may be submitted that the concept of 'Reasonable Accommodation at Workplace' can be construed inherently as per the provision sec. 47 of the PWD Act, 1995.

The term 'Reasonable Accommodation at Workplace' however, is defined under the

[18] www.un.org/disabilities/dafault.asp?id=150.
[19] 3rd May 2008.
[20] 30th October 2007.
[21] Regional trends impacting about persons with disabilities: United Nations Economic and Social Commission for Asia and the Pacific, 2002.
[22] Susan Erb & Barbara Harriss –White, Outcast from social Welfare: adult disability, incapacity and development in rural south India, Books for Change, A Unit of Action Aid Karnataka Projects 2002.
[23] Coined by Sir Jeremy Bentham in his work on Theory of Legislations.

provisions of 'The Rights of the Persons with Disabilities Bill' 2013 hereinafter referred as the RPD Bill 2013.

Section 2(30) the proposed Rights of Persons with Disabilities Bill, 2013 is very important because said section defines the term 'Reasonable Accommodation' which means:

a. where a provision, criterion or practice puts a person to whom one or more prohibited grounds apply at a disadvantage in relation to a relevant matter in comparison with other persons, to take such steps as it is reasonable to have to take to avoid the disadvantages;

b. where a physical feature puts a person to whom one or more prohibited grounds apply at a disadvantage in relation to a relevant matter in comparison with other persons, to take such steps as it is reasonable to have to take to avoid the disadvantage;

c. where a person to whom one or more prohibited grounds apply would, but for the provision of auxiliary aid, be put at a disadvantage in relation to a relevant matter in comparison with other persons, to take such steps as it is reasonable to have to take provide the auxiliary aid;

d. where clause (i) or (iii) above relates to the provision of information, the steps which it is reasonable to have to take include steps for ensuring that in the circumstances concerned the information is provided in an accessible format.

Right to Food as Human Right to address Malnutrition

By now sufficient jurisprudence has evolved transforming different models and rights for protecting the life and dignity of persons with disability at the United Nations level. This is evidence from the fact that the approach for protecting the rights, life and dignities of persons with disability transformed from charity model to medical model and from social model to right based model so also the transformation began with right based model to human rights model ultimately leading for treating the issue of 'disability as a human right'.

There is a close nexus between right to food and addressing the problem of poverty. When a man is fed well in society 60% of his poverty is solved. When the problem of poverty is solved the problem of malnutrition is also solved to greater extent. Therefore, there is a need to focus and throw light on international and domestic standards for providing right to food in context with disability.

Right to Food as a Human Right issue

The right to food is guaranteed in the International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW Convention), and the Convention on the Rights of the Child (CRC). Article 11(1) of the ICESCR includes adequate food as a component on an adequate standard of living and Article 11(2) refers to 'the fundamental right of everyone to be free from hunger.' The CEDAW includes adequate nutrition as part of an adequate standard of living in Article 14. Article 24 (2) (c) of the CRC specifically mentions rights to both food and water.

In General Comment No.12, the ICESCR confirms that the right to adequate food applies to everyone without discrimination and 'is of crucial importance for the enjoyment of all rights.'

Though the above said International Standard provision does not use the word persons with disabilities in their provisions but still it could be construed that the provisions do apply to persons with disabilities. For example, the general comment on ICESCR not only ensure right to food without any discrimination but also signify that there should be physical access to the right to food for infants and young children,

elderly people the physically disabled the terminally ill and persons with persistent medical problems including the mentally ill.

As earlier mentioned right to food by now is a human right issue, so also by adopting the United Nations Convention (to promote and protect the rights and the dignities) of persons with disabilities 2008, the rights of persons with disabilities are treated as human rights issue. In this context it is worth to discuss how the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) promotes the right to food, and livelihood, right to health for addressing the problem of malnutrition.

Article 7 of UNCRPD: Children with Disabilities

1. *States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.*
2. *In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.*
3. *States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.*

Article 10: Right to Life

States Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others.

Article 25: Health

One of the highlights of the aforesaid article no. 25 of UNCRPD is that the state should *Prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.*

India is one among the earliest countries in the world to sign[24] and ratify[25] the UNCRPD. By doing so, India has taken a lead in fulfilling the obligation set by UNCRPD at domestic level. It will be now appropriate to focus the Indian response on the implementation of policies, laws and programmes in addressing the issue of malnutrition.

Yet another significant development around persons with disability jurisprudence is by way of enacting the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 hereinafter referred as PWD Act, 1995. At domestic level malnutrition is an age-old problem in our country. The problems arising out of malnutrition lead to different elements both in children and adults. The cause of disability is due to the problem of malnutrition. The PWD Act, 1995, obligates upon the State to take care of both the mother and child before and after the delivery. Section 25(f) of the PWD Act, 1995, makes it incumbent upon the appropriate Governments and local authorities to 'take measure for pre-natal, peri-natal and post-natal care of mother and child.'

Another significant development around Persons with Disability jurisprudence was by way of introducing The Rights of Persons with Disabilities Bill, 2014[26] for the purpose of fulfilling the implementation of United Nations Convention on Rights of Persons with Disabilities, 2008. Sec. 23 of the said Bill, 2014 provides that the appropriate Government shall, within the limit of its economic capacity and development, formulate necessary schemes and programmes to safeguard and promote the right of persons with disabilities for adequate standard of living. Further the said Bill, 2014 seek to protect the children and women for seeking support from the government for making a meaningful living.

[24] India signed UNCRPD on 30th March 2008.
[25] India signed UNCRPD on 30th October 2008.
[26] February, 2014 in Rajyasabha.

Conclusion

Human rights are a sort of special moral entitlement. They belong to an individual as a consequence of being human. Human rights are defined at different places differently. In India, human right now days is a burning issue. The act passed to protect human rights i.e. Protection of National Human Rights Act, 1993 was passed very recently with a view to prevent human rights violations. But this Act has also proved to be deficient in some cases especially in cases relating to violation of human rights by armed forces. It is very necessary to protect the interests of people like SC, STs, etc. because these people form the vulnerable section of the society. Also, the procedure followed in NHRC and SHRCs needs to simplify a bit so that everyone including the vulnerable sections can access it. The concept of separate human rights courts which is coming up now a days can perhaps help in more efficient protection of human rights of the vulnerable sections of the society.

In the present era, the human rights refer to more than mere existence with dignity. The International Institute of Human Rights in Strasbourg divides the human rights into three generations. First-generation human rights are fundamentally civil and political in nature, as well as strongly individualistic in nature; the Second-generation human rights are basically economic, social and cultural in nature, they guarantee different members of the citizenry with equal conditions and treatment; the Third-generation human rights refer to the right to self-determination and right to development.

Therefore, with the expansion of scope of human rights, the ambit of safeguarding the rights of Persons with Disabilities also increases, as a result, the judiciary should toil more to prevent the violation of human rights committed against PWDs.

Ultimately after many ups and downs the Indian judiciary is playing a role incomparable in the history of judiciaries of the world. It must, therefore, prove itself worthy of the trust and confidence which the public reposes in it. The judiciary must not limit its activity to the traditional role of deciding dispute between two parties, but must also contribute to the progress of the nation and creation of a social order where all citizens are provided with the basic economic necessities of a civilized life, viz. employment, housing, medical care, education etc. as this alone will win for it the respect of the people of the country.

The judiciary has always made concrete efforts to safeguard Persons with Disabilities against the exploitative tendencies of their employer by regularizing their working hours, fixing their wages, laying down rules about their health and medical facilities. The judiciary has even directed the states that it is their duty to create an environment where the PWDs can have opportunities to grow and develop in a healthy manner with full dignity in consensus of the mandate of our constitution.

The Supreme Court made laudable directions and suggestions in many instances to protect basic rights of PWDs, unfortunately these directions and suggestions are not followed and implemented by the government machinery effectively. In this regard, the performance of the Indian Judiciary stands out as a signal contribution to the implementation of human rights generally and that of rights of PWDs.