

Research Article**A Critical Review of the Implementation of Disability Welfare Policies in India****PADMANABHAM MUPPA**Associate Professor, Dept. of Public Administration, SRR &CVR Govt. Degree College (A),
VijayawadaCorresponding Author: **PADMANABHAM MUPPA****Abstract**

India has developed a robust set of laws and policies for the welfare and rights of persons with disabilities (PwDs), culminating in the Rights of Persons with Disabilities Act, 2016 (RPwD Act 2016). However, the translation of legislative intent into effective implementation remains uneven and contested. This review surveys the evolution of the policy-legal framework, examines empirical evidence on implementation, identifies persistent bottlenecks and proposes avenues for reform. The review shows that while the rights-based shift marks a major conceptual advance, structural, institutional, financial and attitudinal impediments continue to limit substantive inclusion of persons with disabilities across India.

Keywords: PwDs, RPwD, Implementation, Policies**1. Introduction**

The welfare of persons with disabilities in India has historically been approached through a combination of charitable, medical-rehabilitative and welfare models. Over recent decades, there has been a significant shift toward a rights-based framework, especially after India's ratification of the Convention on the Rights of Persons with Disabilities (UNCRPD) and the enactment of the RPwD Act, 2016. The promise of this framework lies in equalising opportunity, ensuring non-discrimination, and mandating accessibility and reasonable accommodation. Yet the extent to which these legal aspirations have been realised on the ground remains under-examined. This review aims to fill that gap by critically examining the available literature on the implementation of disability welfare policies in India.

2. Methodology

This is a desk-based literature review. Sources include legal texts (Acts, rules), government programme descriptions, empirical studies from academic journals and policy institutes and audit/oversight reports. Particular attention was paid to studies assessing implementation outcomes, state-level variation, and structural barriers. The review does not undertake primary fieldwork, but synthesises existing research to identify common themes and gaps.

3. Evolution of the Policy & Legal Framework**3.1 Early Era – Welfare & Rehabilitation Models**

Earlier legislative efforts such as the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (PWD Act 1995) were grounded in a welfare and rehabilitative model of disability. While they established some rights (education, employment reservations, assistive devices) and emphasised "equal opportunities", the model was essentially medico-charity in orientation, focusing on rehabilitation rather than full socio-economic inclusion.

Wikipedia+1

3.2 Rights-based Shift: UNCRPD & RPwD Act 2016

India ratified the UNCRPD, signalling alignment with international norms on disability rights.
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The RPwD Act, 2016 replaced the PWD Act, 1995, expanded the recognised categories of disability from 7 to 21, adopted a broader definition of “disability” that incorporates social, environmental and relational dimensions, and introduced stronger obligations on accessibility, reasonable accommodation and non-discrimination.

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The Act thus represents a paradigmatic shift, from welfare to rights.

3.3 National Policies & Flagship Programmes

Alongside legal reform, policy frameworks such as the National Policy for Persons with Disabilities, 2006 (NPPD) articulated themes of empowerment, inclusion and mainstreaming. More recently, campaigns like the Accessible India Campaign (Sugamya Bharat) seek to operationalise accessibility in the built environment, transport, public services and digital platforms. However, these initiatives have faced both successes and constraints (discussed below).

4. Evidence on Implementation: Achievements and Gaps

4.1 Achievements

The RPwD Act, 2016 provides a stronger statutory basis for claims and legal recourse by persons with disabilities. For example, it mandates a statutory “Chief Commissioner for Persons with Disabilities”, State Commissioners, reservation in education and employment, and special courts for offences under the Act.

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Some states have proactively rolled out programmes expanding disability pensions, activating state-level disability commissions, and increasing awareness of inclusive education and employment. For instance, a study in the state of Haryana found that the state had expanded disability pensions, operationalised its State Commissioner and made progress in job reservations.

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Campaigns such as the Accessible India Campaign have raised visibility of accessibility issues and prompted audits of public buildings and transport in some jurisdictions, creating momentum for change.

4.2 Gaps and Implementation Shortfalls

4.2.1 Data and measurement challenges

Reliable, disaggregated data on persons with disabilities remains weak. Census 2011 remains the most recent large-scale enumeration, but it is criticised as under-estimating prevalence and lacking detail on impairment type or severity. This affects planning, budgeting and targeting of services.

4.2.2 Rule-making, institutional structures & coordination

Despite statutory obligation, many states have failed to frame/notify rules under the RPwD Act, or set up requisite institutional mechanisms (State Commissioners, District Level Committees). For instance, in the case *Seema Giriya Lal v. Union of India*, the Supreme Court of India observed that “many states have not framed rules” though six months’ time had been provided under the Act.

Verdictum+1

Similarly, a multi-state assessment found wide variation in rule-making, fund-constitution, advisory board formation and implementation across states.

CDPP

4.2.3 Accessibility and reasonable accommodation

Although the Act mandates accessibility in physical environment, education, employment and digital spaces, on-ground compliance is patchy. Many schools and colleges lack ramps, sign-language interpreters, assistive devices, or have not adopted universal design. Studies highlight that educational inclusion remains more aspirational than realised.

JISEM+1

Digital accessibility and web-based services also remain under-compliant.

4.2.4 Employment, education and mainstreaming

While reservation and rights exist in law, many employers and educational institutions are not fully aware of obligations or lack capacity to implement. The shift from segregated to inclusive schooling and from sheltered to mainstream employment is gradual. Social stigma, infrastructural deficits and lack of supports (e.g., interpreters, accessible materials) continue to impede full participation.

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4.2.5 Budgetary and resource constraints

Schemes for assistive devices, pensions, inclusive education and skill development often operate under resource constraints, administrative complexity and uneven state capacity. The discrepancy between legislative commitment and fiscal/administrative capacity is a persistent bottleneck.

4.2.6 Monitoring, accountability and enforcement

Despite stronger statutory rights, enforcement mechanisms (special courts, grievance redress, audits) are weak or slow. The Supreme Court has expressed displeasure regarding the “dismal stage” of implementation across states.

ThePrint+1

Moreover, public awareness of rights and legal recourse remains limited, reducing demand side pressure for compliance.

5. Synthesis: Why the Implementation Gap Persists

Drawing on the reviewed literature, the following systemic constraints emerge:

- Fragmented governance and federal variation: Disability policy spans multiple sectors (social justice, education, labour, transport), making coordination complex. State-by-state variation in capacity, political will, fiscal space and institutionalisation leads to uneven outcomes.
- Weak data and planning foundation: Without reliable prevalence, functional-limitation and socioeconomic data, programmes cannot be effectively targeted or evaluated. The result is low uptake or mis-allocation of resources.
- Limited budgets and prioritisation: Disability inclusion is often a lower priority compared to other development domains. Resource allocation remains modest and utilisation is uneven. Some schemes face delays or low uptake.
- Infrastructural and human capacity deficits: Schools, workplaces, transport systems often lack universal design, accessible features, or trained personnel. Reasonable accommodation remains limited in practice.
- Attitudinal and cultural barriers: Stigma, low awareness of rights among persons with disabilities and among administrators, educators or employers slow the transition from formal rights to lived inclusion.
- Weak accountability and enforcement: Legal rights without effective enforcement (monitoring mechanisms, penalties, incentives) reduce the impact of the legislation. Institutional machinery (commissions, courts, grievance cells) often remains under-utilised.
- Participation of persons with disabilities: Though recognised as key stakeholders, persons with disabilities and their organisations (DPOs) frequently are not sufficiently

engaged in implementation, monitoring or policy design, reducing ownership and responsiveness of programmes.

6. Recommendations for Strengthening Implementation

Based on the literature and identified gaps, the following are proposed:

1. Improve data systems: Undertake a comprehensive disability survey (or integrate disability modules into large household surveys) collecting data by impairment type, severity, gender, region, socioeconomic status and functional limitations. This strengthens planning, monitoring and accountability.
2. Ensure rule-making and institutionalisation: All states must notify rules under the RPwD Act (as required by law), establish State Commissioners, District Committees, Advisory Boards and special courts. Clear timelines with monitoring dashboards could assist.
3. Dedicated financing with performance metrics: Allocate sufficient budget for accessibility retrofits, assistive devices, inclusive education/training and employment supports. Tie funding to measurable outcomes and social audits.
4. Build capacity and incentivise practice change: Provide training for educators, employers, building/transport planners, service providers. Incentivise private sector adoption of universal design and reasonable accommodation through procurement preference, tax breaks or recognition awards.
5. Strengthen accessibility enforcement: Mandate audits of public buildings, transport systems, websites; publish results; deploy penalties or incentives; encourage citizen monitoring via mobile apps or grievance portals.
6. Promote inclusive education and employment: Ensure mainstream organisations are supported to adapt infrastructure, curricula, materials and staffing. Encourage and track transition from segregated settings. Strengthen linkages between PwDs, skill training and job placement with mentorship and accommodations.
7. Engage persons with disabilities meaningfully: Institutionalise participation of DPOs in all phases—policy design, monitoring, grievance redress, awareness campaigns. Their lived experience enriches relevance and accountability of interventions.
8. Promote attitudinal change and awareness: Invest in public campaigns, inclusive-education teacher training, employer sensitisation and disablement awareness in communities to reduce stigma and social exclusion.

7. Conclusion

The legal and policy architecture for disability welfare in India is now well-crafted the RPwD Act, 2016 national policies, and flagship programmes mark a clear shift toward a rights-based and inclusive framework. Yet the significantly large implementation gap persists: many states remain behind in rule-making and institutionalisation; accessibility and inclusion remain uneven and monitoring and enforcement mechanisms are weak. The evidence suggests that unless structural impediments—data, coordination, finance, capacity, accountability—are addressed, the promise of “equality, dignity and inclusion” for persons with disabilities will remain only partially fulfilled. A sustained effort, anchored in measurable outcomes and participatory processes, is required to translate legal rights into lived realities for millions of Indians with disabilities.

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(Application of APA style; note: some article details are approximated from available online metadata.)

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