

An Analysis of Employment Opportunities for the Persons with Disabilities in MNREGP

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Abstract:

Employment opportunities for the Persons with Disabilities (PwDs) are of vital significance in order to ensure a decent living to them. The present work is focussed on the analysis of the employment opportunities for the PwDs in Mahatma Gandhi National Rural Employment Guarantee Programme (MNREGP). An effort has been made to analytically examine employment opportunities for the PwDs as per Mihir Shah Committee recommendations in MNREGP.

In the first section an introduction is put forth in which the significance of the issue, section second dwell upon the issues involved vis-a-vis conceptual & definitional framework, are briefly highlighted. Review of literature is presented the section III. Provisions of the Mihir Shah committee for the employment of persons with different types of disabilities is put forth in the section four with a stress on the need for sensitizing the stakeholders on the issues and provisions regarding persons with disabilities.

Key Words: Persons with Disabilities, MNREGP, Employment Opportunities, Ayodhya District.

I. INTRODUCTION

Much water has flown in the Ganges since the most out of the box solution to the problem of rural unemployment in the form of wage employment programme-National Rural Employment Guarantee Programme (NREGA), latterly re named as Mahatma Gandhi National Rural Employment Guarantee Programme (MGNREGP), was implemented in all the villages of India. It neither will be inappropriate nor out of place to state that no aspect of MGNREGP, wage employment programme which makes right to demand for work a legal entity, has been left out of the critical scrutiny. Numerous research papers focussed on different dimension of the legal provision under the NREG Act, economic, social and political have been written and two volumes of anthologies of research studies- MGNREGA Sameeksha I (2006-2012) & MGNREGA Sameeksha II (2012-2014) have been published by the government herself.

The Standing Committee on Rural Development (2012-2013), Fifteenth Lok Sabha to notice of the plight of the Persons with Disability and enquired about how they are accommodated in work allocation in MNREGP. It expressed concern over the situation and said,

“...The Committee are unhappy to note that implementing agencies have failed to create proper environment for working of disabled persons in MGNREGA works. The Committee are of the considered view that identification of proper work as per needs of disabled persons and creation of proper work environment are imperative for encouraging disabled persons to participate in MGNREGA works as per MGNREGA, 2005 guidelines. The Committee, therefore, desire the Department to take steps for identification of special works as per specific needs of disabled persons, issue special job cards and appointment of dedicated officers etc. so as to increase the participation of persons with disabilities in the MGNREGA works.” [2.5, page 88].

The aforesaid report of the Standing Committee of the Parliament (Lok Sabha), Ministry of Rural Development (Department of Rural Development), makes the reference point with respect to who will be considered as a person with disability amply clear by stating,

“MGNREGA, 2005 guidelines provides that if a rural disabled persons applies for work, work suitable to his/her ability and qualification will have to be given. This may be in the form of services that are identified as integral to the programme. Provisions of the Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 will be kept in view and implemented.” [E 1.35, page 17. MoRD. GoI]

It is important to note that the Standing Committee was intimated about:

“Mihir Shah Committee constituted for revision of the guidelines for the implementation of MGNREGA works has suggested for creation of special condition to facilitate inclusion of Disabled persons in MGNREGA works. The Committee have suggested various special initiatives such as special drive for the identification of vulnerable groups in each Gram Panchayat, special job cards for each disabled persons, special drive for mobilization of Disabled groups in MGNREGA works, identification of special works and appointment of dedicated Officer to look after specific need and requirements of the special categories.” [E 1.36, page 18. MoRD. GoI]

This paper is an effort to see how the effort to bring betterment in the state of living of the PwDs has changed with provisions of work in MGNREGP. But before that it becomes imperative to have a glance on certain conceptual and definitional aspects with respect to PwDs. For the same one may refer to the appendix I table 1 in which as per the Census 2011 the definition of disability of different types is specifically mentioned.

II. CONCEPTUAL & DEFINITIONAL ISSUES

A brief backgrounder about disability needs clarity on the word itself. Disability has physical, mental, psychological, social, economic and medical connotation. So the approaches towards disability vary. One approach toward is medical and the other is social. Medical approach sees it as a problem of deficiency or discrepancy. As per this approach disability is caused because of some congenital disease or injury. This results in affecting all walks of their life-to walk, to execute daily routine work etc. For such situations this approach recommends medical interventions, rehabilitation and preventive care. While the second approach, not the secondary approach, envisage it in the socio-economic ambit. The societal reluctance towards the person with disability is more a matter of concern rather than the problem itself. Human rights of the person with disability are usually taken for granted, which is a crime against humanity. To make societal environment positive is the prerogative of institutions and governments the world over. Social approach highlights the human angle through which the issue shall also be addressed.

In Indian context the issue is seen in medical or socio-cultural context. The definitions and classification were all looked with respect to Persons with Disability Act 1995. For the sake of reference it is important to make clear that the Census and the National Sample Survey use their own definitions. In this context I would like to recall what the NSSO 36th Round (July-December 1981) stated while deliberating on the issue of definition “....The detection of disability is very difficult if one wishes to follow a strict definition. In this context the remarks in Dec. 1972 issue of ‘Rehabilitation International’ are ‘The information presently available on the quality and extent of disability throughout the world is scant. Statistics on the extent of specific disability and their causes are often inaccurate and generally incomplete. The figures which are available vary greatlyAmong the variable that create problems of data interpretation are.....definitions of disability and the conditions which it includes (chronic limitations of activity, severe or minimal impairment, e.g. all visual defects, all anaesthesia in case of leprosy, all missing parts of the parts of the body including digits, limbs), statistics on possible causes of disability or the actual number of disorders.....’. Since disability itself is difficult to define and the data is collected in NSS by non-medical investigators and the respondents are not so knowledgeable, by and large, it was imperative to define disability in a very careful and guarded way so to minimise the investigator bias and respondent bias in the data”.

One may also envisage that what the ICIDH manual classification 1980 point out on the difficulty in having problem to garner information on the disability:

“First, objectives inevitably differ appreciably between various professions; thus what is germane for a remedial therapist is unlikely to be so for a social worker. This variation in emphasis and concerns introduces a lack of comparability into data. Second, heterogeneity tends to be exaggerated by the fact that in this context most professions are concerned mainly with assessment and its associated individual oriented data, without here having been much standardization of procedures.....a third difficulty is that unifying concepts analogous to disease entities have not been developed. As a result few category oriented data have been available, an important factor contributing to shortcomings in policy development and planning in regard to the disabled. Finally, the lack of appropriate concepts with trans-professional currency has led to communication difficulties, a problem compounded by ambiguity and confusion in terminology.”¹

Lack of comprehensive definition incorporating all dimensions of disability has been a major reason of distortion of statistics on disability. Given this limitation it would be better to have a superficial glance on definitions emanating from different institutions of repute.

III. REVIEW OF LITERATURE:

Jeyalakshmi. S, S. Chakrabarti & Nivedita Gupta (2011): Disability in India-A Statistical Profile was published in the year 2011. It is comprehensive work that in very crispy manner put forth the conceptual framework of disability, its definition and types internationally and in India. The steps taken institutionally in India in this regard through different schemes and legal initiatives. The state of disability pan India.

- ❖ International Classification of Impairments , Disabilities and Handicaps (1970s): It was published by the World Health Organisation in the year 1980. It is put forth as a tool for the classification of the consequences of disease, as well as of injuries and other disorders, and of their implication for the individual.
- ❖ International Classification on Functioning Disability and Health (2001):
- ❖ Mihir Shah Committee (February 2012): The Mihir Shah Committee has put forth a complete list of disability types along with the type of work they can be engaged into in MNREGP. Point number 10.2.1, 10.2.2, 10.2.3, from 10.3 to 10.3.14 address different aspects related to PwDs. Point 10.9 titled Identifying suitable work for differently abled persons put forth a number of tables identifying works that can be allocated to PwDs and thereafter tables specifically identifying disability & work that may be assigned to the concerned PwD. The list is quite exhaustive. It also stress to the need for assistive technologies for the PwDs to conduct the related work.
- ❖ Planning Commission, Government of India (2008): Published Employment of Persons with Disabilities in Public Sectors in India- Emerging Issues and Trends: An Evaluation Study with Special Reference to Person with Disabilities Act (1995). It takes in to the account the overview of all spheres concerning the constitutional provisions, execution of the constitutional provision on ground, societal perceptions, awareness among officials & staff, awareness about the reservation provisions for the PwDs, state of reservation of PwD women, how the provision of reservation quota of 3%, provisions of training and vocation building courses.
- ❖ Shenoy, Meera (December, 2011): International Labour Organisation supported work Persons with Disabilities & the India Labour Market: Challenges & Opportunities has highlighted the need to address the challenges before the PwDs in the labour market. It recommends the establishment if an innovation fund and also to make provision of earmarking 5 % of the budget to skill the disabled. It emphasise the need for inclusion of the PwDs in the trade unions. Along with mapping the best practices for the PwDs in companies, business model development for hiring the disabled it suggested developing a portal as repository of knowledge and resources of publication.

¹ ICIDH (1980) page 16-17.

- ❖ The National Rural Employment Guarantee Act (2005). Operational Guidelines: Published by the ministry of rural development, GoI, ND spells out the whole framework of the NREGA Act 2005. Within the ambit of its framework are the objectives of the Act, its management, planning. The respective document put forth the mechanism of registration of job seekers & the other related aspects, funding, monitoring and evaluation etc at length. Point number 4.6.10 page 19 of the operational guidelines specifically make mention of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 vis-à-vis work to be provided to the PwDs as per her/his ability and the need to identify the form of services that can be an integral part of the programme.

IV. PERSONS WITH DISABILITIES AND MGNREGP

MGNREGP is an important via media to provide wage employment opportunities for the normal personal but also for the PwDs. It is evident from the expressions of the Standing Committee of the Parliament (Lok Sabha), Ministry of Rural Development (Department of Rural Development). An exhaustive framework of functional capability to undertake physical labour in MGNREGP was worked out by the Mihir Shah Committee constituted thereafter. One can refer to the Operational Guidelines of 2012, 4th edition. It is in the chapter 10 of the operational guidelines that an exhaustive work has been done by the respective committee in identifying suitable work for the persons with disabilities. In the point 10.9 of the report seven tables have been constructed with a view of classifying work as per the capacity of the person having different types of disabilities.

Possible classification of work according to the capacity of differently abled people under MGNREGA:

1. Drinking water arrangements	2. Helping in looking after children
3. Plantation	4. Irrigation - canal digging
5. Earth backfilling	6. Dumping mud outside or in trolleys
7. Building construction - making concrete material	8. Shifting concrete and other building material from one place to the other
9. Carrying cement and bricks	10. Filling sand or pebbles in pans
11. Sprinkling water on newly built wall	12. Well deepening – filling baskets with excavated mud inside the well
13. Helping in pulling out the sludge from the well	14. Transferring the sludge to trolley
15. Digging out the sludge from the ponds	16. Putting the waste in iron containers
17. Transferring contents of filled up pans into trolley	18. Carrying stones
19. Setting stones in the right place	20. Land leveling
21. Farm bunding	22. Digging pits in water conservation land
23. Setting the mud from the pits in a different place	24. Road construction – sweeping the kuchcha roads with brooms
25. Sprinkling water, putting pebbles	

Source: Page 114 of the 4th edition of the Operational Guideline 2012.

It has identified and classified twenty five types of work that can be allocated to the persons having different types of disability. Under the head of work that can be allocated to:

- i.** For the persons having orthopaedic disability there are six sub-heads-
 - a. persons with one weak hand (nine types of work being identified);
 - b. persons with both hands weak (two types of work being identified);
 - c. persons with one weak leg (further classified under two sub-categories-i work done with help, six types of work being identified, ii. Work done independently, twenty six types of work identified);
 - d. persons with both weak legs (five types of work being identified);
 - e. persons with one weak hand and one weak leg (further classified under two sub-categories-i work done with help, six types of work being identified, ii. Work done independently, six types of work identified)leg and
 - f. by hunch-backed persons (six types of work being identified).
- ii.** For the persons having visual disability there are three sub-heads-
 - a. persons blind in one eye whose other eye is weak also (twenty four types of work being identified);
 - b. completely blind person (four types of work being identified); and
 - c. person with weal vision (twenty four types of work being identified).
- iii.** For the persons having mental disability there are two sub-heads-
 - a. severely mentally challenged (twenty types of work being identified); and
 - b. mildly mentally challenged (nine types of work being identified) .

The need of the hour is the promotion and creating awareness at a large scale especially in the remote areas across the nation along with sensitizing the stakeholders- the families, the gram Panchayats and the ground workers of the same. Given the fact about the limitation of data due to evolving sage of identifying different types of disabilities at the conceptual and definitional level spreading awareness and sensitizing different stakeholders will make execution effective at the ground level.

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