

Prioritising accessibility of differently-abled people as a right

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Following a rights-based approach will ensure effective participation of disabled persons in India's economy.



Accessibility enhances urban mobility for all in ways that everyone benefit from features such as ramps, elevators and well-designed public transport. Dibakar Roy Credits Unsplash

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An accessibility audit conducted by the Punjab University a few months ago revealed shocking details of apathy towards people with physical disabilities: of 99 buildings that were surveyed, none was found to have facilities that would aid people with different degrees of disabilities. Additionally, the university campus lacked Braille signages, pavements and tactile paving.

Earlier this year, the Comptroller and Auditor General's office found "pre-access audits" on 80 percent of public buildings were not conducted before retrofitting them to make them accessible by persons with disabilities (PwDs). This failure was noticed even as the

central government's Accessible Indian Campaign, launched some nine years ago, ensured that at least 50 percent of public buildings across all state capitals were to be made fully accessible for PwDs by June 2022.

In recent years, the Supreme Court delivered a series of judgments to protect the rights of PwDs. A former Chief Justice of India took several initiatives to ameliorate the lives and experiences of PwDs.

Last November, a significant milestone was achieved in India's journey towards accessibility. In a landmark ruling, the Supreme Court recognised accessibility as a fundamental right for PwDs. This ruling, which directed the central government to implement mandatory accessibility standards within three months, was a beacon of hope for the disability community.

It emphasised that accessibility should be more than symbolic. In other words, it must be 'meaningful' access to public spaces. This directive applies to government buildings, public transport, educational institutions and digital services, setting a significant precedence for future policies. The court also appointed the Centre for Disability Studies, NALSAR University of Law, Hyderabad to assist in developing these new standards, further solidifying the commitment to accessibility in India.

In December, 2024, the government launched a nationwide accessibility audit campaign in collaboration with the Association of People with Disability (APD) which is? A significant step in this initiative was the introduction of the YesToAccess app, India's first AI-powered accessibility audit tool.

This app allows users to assess the accessibility of public spaces by analysing features such as ramps, railings, accessible toilets, tactile pathways and clear signage. It displays collected data on a public map to promote transparency and encourage infrastructure owners to make necessary improvements.

Initiatives by states

In Maharashtra, the State Disability Commissioner has mandated accessibility upgrades for approximately 1,100 government buildings following audits conducted across cities, including Pune, Mumbai, Nagpur, Thane, and Nashik.

Henceforth, the state departments must allocate separate budgets for accessibility modifications and establish grievance redressal mechanisms to monitor implementation. This move aligns with the broader Accessible India Campaign which has made significant but inconsistent progress toward making public spaces universally accessible.

The emphasis on accessibility is not just about compliance with legal mandates; it's about investing in the social and economic growth of the country. Accessibility is not a cost but an investment that leads to improvement in employment rates among persons with disabilities, enabling them to contribute to the economy rather than being excluded due to physical and structural barriers. This economic argument for accessibility is compelling and should be a key consideration in all policy and decision-making processes.

Moreover, accessibility enhances urban mobility for all, including the elderly, children, pregnant women and individuals with temporary injuries. All benefit from features such as ramps, elevators and well-designed public transport.

From a comparative perspective, countries (Japan and Sweden) that have embraced universal design principles have seen improved urban infrastructure, resulting in increased tourism revenue, with visitors with disabilities traveling more frequently due to better accommodations.

Disabled persons, like all human beings, have equal rights to dignity, autonomy, and equal opportunities. Yet, for over one billion people with disabilities globally, equality of opportunity and equal respect remain elusive due to prevalent discrimination, social prejudices, misconceptions and neglect, which obstruct their full participation in society and the economy.

The recognition of the UN's social model of disability and India's legislation is instrumental as it focuses on the socially constructed barriers that prevent disabled individuals from fully participating in civic life. This perspective shifts the focus from the individual impairments that persons with disabilities have to the systemic and structural failures of society to accommodate them.

Ensuring equal opportunity

There is a need for society to introspect and adopt strategies that ensure equal opportunity, accessibility, reasonable accommodation and inclusive environments for PwDs.

Reasonable accommodation encapsulates the idea of substantive equality to ensure that people with disabilities are treated differently and sensitively and are provided with specific assistance, relaxations, exceptions, or adjustments to enable them to access and utilise available resources on par with all other members of society.

Access to the built environment in India has long been debated through the lens of disability statistics. Consequently, policies and infrastructure improvements are often justified based on the number of people affected rather than acknowledging accessibility as a fundamental right that benefits society as a whole.

However, irrespective of statistical figures, accessibility is essential for facilitating inclusion, sustainability and economic growth, ultimately benefiting all stakeholders, including those who are disabled as well as those who are able.

While recent court directives and government initiatives are promising, India must urgently address gaps in enforcement and awareness. Many public buildings and transport systems remain inaccessible due to inadequate implementation of accessibility guidelines.

A more potent monitoring mechanism must be implemented and greater involvement of PwDs in decision-making and public-private partnerships will be critical in ensuring long-term progress. Besides, educational institutions and corporations should integrate accessibility as a key principle, especially in their architecture and workplace designs, to take advantage of an inclusive workforce. The urgency of these actions cannot be overstated.

Looking ahead, accessibility should not be seen as an accommodation for a minority but as a fundamental component of a just and equitable society. The Supreme Court's ruling, substantiated by AI-powered audit tools and state-led accessibility mandates, can lead to significant progress.

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