



## CONSUMERS WITH DISABILITIES - GS II AND III MAINS

Q. Bring out the Rights of Consumers with Disabilities and examine the issues faced by the Consumers with Disabilities in the Indian context. Discuss the measures taken by the government to enhance their rights. (15 marks, 250 words)

**News:** *Navigating life as a consumer with disability*

### What's in the news?

- Every year, March 15 is celebrated as World Consumer Rights Day to create awareness about the rights of consumers.
- One section of consumers who might remain invisible in these celebrations or even in the discourse around consumer rights is consumers with disabilities.

### Key takeaways:

- A collaborative effort between businesses and the government, supported by a robust legal framework, is imperative to effectively protect the rights of consumers with disabilities and afford them an equal opportunity to participate in the marketplace and society.

### Consumers With Disabilities (CwDs):

- The World Health Organization (WHO) reports that over 1 billion people, or 15% of the global population, live with some form of disability.
- In India, the 2011 Census recorded 26.8 million persons with disabilities, accounting for 2.21% of the total population.

### Rights of Consumers with Disabilities:

#### 1. Equal Treatment:

- Consumers with disabilities have the right to equal treatment in the marketplace, including access to goods, services, and facilities without discrimination based on their disability.

#### 2. Non-Discrimination:

- Businesses are prohibited from discriminating against consumers with disabilities in the provision of goods, services, and employment opportunities.

#### 3. Accessibility:

- Consumers with disabilities have the right to accessible products, services, and public spaces, including physical, communication, and information accessibility.

#### 4. Accommodation:

- Businesses must make reasonable accommodations to ensure access to goods and services for consumers with disabilities.



## 5. Privacy:

- Consumers with disabilities have the right to privacy and confidentiality in their interactions with businesses.

## Global Legal Frameworks:

### 1. United Nations Convention on the Rights of Persons with Disabilities (UNCRPD):

- A comprehensive treaty promoting the rights and dignity of persons with disabilities.
- Standard Rules on the Equalization of Opportunities for Persons with Disabilities: Provide a framework for countries to ensure rights and inclusion of persons with disabilities.

## Domestic Legal Frameworks:

### 1. Rights of Persons with Disabilities Act, 2016:

- Safeguards rights and entitlements of persons with disabilities, defining disabilities and mandating accessibility standards.

### 2. Other Relevant Laws:

- Include the Persons with Disabilities Act, 1995, Rehabilitation Council of India Act, 1992, Mental Healthcare Act, 2017, and National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999.

## Policies and Schemes:

### 1. Accessible India Campaign (Sugamya Bharat Abhiyan):

- It aims to enhance accessibility in the built environment, transportation, and information & communication.

### 2. Unique Disability ID (UDID) Project:

- It creates a national database for persons with disabilities to enable better delivery of government benefits and services.

## Challenges Faced by Consumers with Disabilities (CwDs):

### 1. Physical and Accessibility Barriers:

- Include inaccessible built environments and transportation options, as well as a lack of assistive technologies.

### 2. Informational and Communication Barriers:

- Stem from unavailability of information in alternative formats and inaccessible websites.

### 3. Attitudinal and Sociocultural Barriers:

- Result from societal stigma, discrimination, and limited consideration of CwDs' needs and preferences.

### 4. Economic and Financial Barriers:



- Arise from higher costs of living and limited access to financial resources and employment opportunities.

## 5. Policy and Regulatory Barriers:

- Include ineffective implementation and enforcement of accessibility standards and non-discrimination laws.

## Measures to Alleviate the Conditions of CwDs:

### 1. Businesses as the Starting Point:

- Businesses can broaden their customer reach by making offerings accessible to persons with disabilities.

### 2. Bridging Gap in Sensitization Among Businesses:

- Effective policy measures can bridge the gap in sensitization among businesses, such as incorporating QR codes containing product information.

### 3. Active Support from the Government:

- The government can bring comprehensive accessibility guidelines for all goods and services, building on initiatives in other countries.

### 4. Empowering Disability Commissions:

- Disability Commissions can be empowered to enforce punitive measures for violations of rights.

### 5. Aligning Consumer Protection Act, 2019 with RPWDA:

- Alignment of consumer protection laws with disability rights legislation can ensure adequate remedies for violations.

### 6. Raising Awareness with Focus on Consumers with Disabilities:

- Raising awareness about existing rights and resources available to CwDs under relevant legislations is crucial.

Ensuring the rights of consumers with disabilities requires concerted efforts from businesses, governments, and society as a whole. By promoting accessibility, non-discrimination, and equal treatment, we can create a more inclusive and equitable marketplace for all consumers.