

## SOCIAL SECURITY FOR PERSONS WITH DISABILITIES IN INDIA

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### ABSTRACT

While the programmes of Social Security are to guarantee income maintenance or income support, the condition of the disabled persons is somewhat different. Some might have become disabled due to work injury or accident or due to some other contingency during their work life. Such persons have employment related social security schemes in operation in India. However, there are majority of the disabled persons in the country who are not employed but require social protection. This Paper seeks to address the problems of those along with their social security needs and attempts to offer guidelines for policy making in social security for working class.

**Keywords:** Social Security schemes, social security strategy, social security for disabled, social security programmes for disables, available programs for disables

## **INTRODUCTION**

The International Labour Organization (ILO) defines Social Security as "the security that society furnishes through appropriate organization against certain risks to which its members are perennially exposed. These risks are essentially contingencies against which an individual of small means cannot effectively provide by his own ability or foresight alone or even in private combination with his fellows. The mechanics of social security, therefore, consists in counteracting the blind injustice of nature and economic activities by rational planned justice with a touch of benevolence to temper it." This definition of ILO clears and centers on provision of support to an individual or to his/her family to protecting them falling into contingent poverty which is that the individual is not otherwise poor but for the contingency. These contingencies as per ILO are sickness, medical care for the worker, maternity, unemployment, work injury, death of worker, invalidity and widowhood.

The contingencies, however, are the work related contingencies and the individual and his family will be protected only in the case the individual is working before becoming a subject of the contingency. Thus, being employed is a precondition for becoming eligible for social security benefits. Ironically, this definition does not cover the protection that has to be provided for the people who are already poor and, therefore, the Social Assistance programmes cover them.

## **EVOLUTION OF SOCIAL SECURITY**

The concept of social security is as old as the history of man. Stories of Bible tell us how, during the years of famine, Joseph tried to tide over the situation by making use of surplus stocks of grain which he had stocked during the earlier years of plenty. The oldest institution of social security is family that includes the extended family. Industrial revolution in the Europe has seen the growth of urban and industrial centers that affected the rural joint families thereby disturbing the institution of social security in the joint family system.

When individual was unable to take care of his own needs, the society realized the importance of protecting the individual and his family. In Great Britain the poor laws were enacted to provide minimal food and shelter in a workhouse to the poor. Private savings, compensation by employer's medieval guilds, mutual aid or mutual benefit societies, private insurance and life insurance are some of the evolutionary forms of social security efforts.

## **NEED OBJECTIVE OF SOCIAL SECURITY**

Modernization and urbanization have resulted in radical socio-economic changes and give rise to new conflicts and tensions consequent upon the erosion of age old family and fraternal security. The transition from agricultural economy to an industrial economy brought in special accompanied problems that called for social security.

The purpose of any social security measure is to give individuals and families the confidence that their level of living and quality of life will not erode by social or economic eventuality; provide medical care and income security against the consequences of defined contingencies; facilitate the victims physical and vocational rehabilitation; prevent or reduce ill health and accidents in the occupations; protect against unemployment by maintenance and promotion of job creation and provide benefit for the maintenance of any children.

The contingencies of social security as delineated by ILO are medical care, sickness benefit, unemployment benefit, old age benefit, employment injury benefit, family benefit, maternity benefit, and survivors benefit.

## **SOCIAL SECURITY IN INDIA**

The social security strategies in india include the following:

- Social insurance with the participation of the beneficiary pooling risks and resources
- Social assistance financed from general revenues and granting benefits on the basis of means test
- Employers liability schemes where there is an identifiable employer and within the economic capacity of the employer
- National Provident Funds
- Universal schemes for social security.

Article 43 of the Constitution speaks of state's responsibility to provide social security to the citizens of this country. In India, we find all the above strategies in practice. For the purpose of discussion, we may categorize the social security schemes available in India as Preventive Schemes, Promotional Schemes, and Protective Schemes.

## **PREVENTIVE SCHEMES**

Preventive Schemes are the Schemes aimed at risk prevention. In the strategy of social management of risks, preventive approach tries to prevent poverty and helps people under below poverty line to come above poverty line. Preventive health care, vaccinations against diseases forms part of the preventive strategies. Majority of the schemes are of social assistance in nature.

## **PROMOTIONAL SCHEMES**

Promotional social security schemes are mainly of Means tested Social Assistance type, where to guarantee minimum standards of living to vulnerable groups of population, the Governments at the State and Center draft schemes financed from the general revenues of the Government. These are the strategies of risk mitigation. These guarantees:

- Food and Nutritional Security by ensuring per capita availability of food grains, access to food, developing agriculture sector, targeted Public Distribution system etc. Employment security by ensuring employment by generating employment, redeploying the surplus manpower in any sector, creating rural employment opportunities, encouraging technological up gradation.

Health Security by ensuring availability of medical facilities, maintaining standards of sanitation and drinking water, eradication and control of communicable diseases, timely vaccination of children and child bearing women, health insurance, old age homes and social insurance for the elderly. Education Security by ensuring opening of schools, Encouraging children to attend classes, making education compulsory up to certain age, opening adult learning centers or formulating schemes like Sakshara, running schemes like mid day meals etc. Women Security: by empowering women, encouraging women literacy, banning dowry, designing widow pension schemes. Assistance to the disabled by undertaking programmes to promote health and education among the disabled persons, providing rehabilitation services and reservations in services so as to enable them to participate in social and economic activity. All the above form part of promotional social security schemes where State Governments are more involved than the Central Government. Examples of schemes in the promotional social security area include:

- Food for work
- Jawahar Rojgar Yojana \
- Antyodaya
- Rural Landless Labourers Employment Guarantee Schemes

- programmes of Integrated Rural Development Project
- Drought prone area Programmes
- Sakshara
- Integrated Child Development Scheme (ICDS)
- Public Distribution System
- reservations for the disabled in services
- Special educational institutions for the disabled persons etc.

### **PROTECTIVE SOCIAL SECURITY PROGRAMMES**

The protective social security programmes help the poor in removing/reducing contingent poverty. In India, the protective social security programmes have been designed to address the contingent poverty or the contingencies defined by the ILO. These programmes take care of old-age income needs (Old age pension), survival benefits (Provident Funds), medical need of insured families (Medical Insurance), widow and children/dependant economic needs (Widow/Children/orphan, and dependent pension), maternity benefits, compensation for loss of employment and work injury benefits.

The benefits are extended only to working population majority of who are in the organized sector through legislations like:

- Employees State Insurance Act 1948
- Workmen's Compensation Act 1923
- Employees Provident Fund and Miscellaneous Provisions Act 1952
- Payment of Gratuity Act 1972
- Maternity Benefits Act 1976

### **SOCIAL SECURITY FOR DISABLED PERSONS IN INDIA**

Having discussed the social security concepts and strategies and programmes available for the vulnerable groups, the need for the Social Security programmes for the persons with disabilities can hardly be overemphasized. However, we need to understand that the family has been the primary producer of welfare even before the birth of a welfare state on the lines of modern welfare approach. Later community, membership institutions, markets, and finally States provided welfare facilities.

Particularly in democratic states, it has been the political necessity to produce and distribute welfare for the vulnerable groups in the society. The magnitude of the woes of the persons with disabilities is vast and its impact on the individual, family and community is severe. The most vulnerable groups among the persons with disabilities include very young children, women and the aged with disabilities.

Their existence and livelihood requirements have to be taken care of by some agency in the society-that agency could be the state in the absence of benevolent markets and communities and more so when the families of the persons with disabilities cannot do so. Further it is a part of social justice that a State may assure to its subjects.

In the United States the Social Security Administration, United States (SSA) considers one as disabled under Social Security Rules, if on cannot do work that he did before and SSA decides that he cannot adjust to other work because of his medical condition(s). a person's disability must also last or be expected to last for at least one year or to result in death.

Social security programme rules assume that working families have access to other resources to provide support during periods of short-term disabilities, including workers' compensation, insurance, savings and investments. "The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, inter-alia and strives to promote empowerment of persons with disabilities.

The right to received support and assistance, although essential to improving the quality of life of people with disabilities, is not enough.

## **REQUIRED SOCIAL SECURITY PROGRAMMES FOR THE DISABLED PERSONS IN INDIA**

Assistance and benefits both in the form of cash and kind will help ameliorate the condition of the disabled persons who have to bear additional economic and social cost due to their disability. Granting benefits for the persons with disabilities is a necessary condition but not a sufficient one for their empowerment and overall development. People with disabilities, like all people, require love and affection that is most often best provided by their families.

Specific measures and assistance are therefore essential to help these families overcome the threat of many possible sources of deprivation and provide and caring home as a much better and more natural alternative to life in large institutions/homes for disabled for disabled. If the family itself is poor, it may not be able to extend any kind of support to the disabled members but rather treat him as an extra burden. Before designing the programmes suggested hereunder, this fundamental social understanding should not be overlooked.

The cash benefits by way of assistance could be in the form of the following:

- o Scholarships to the disabled children
- o Old age pension to the aged and widows
- o Unemployment assistance to the education disabled
- o Cash subsidies for self employed
- o Disablement pension
- o Retirement pension

The benefits in the form of kind could be in the form of:

- § Concessions and support in various activities and concessions in transport
- § Medical assistance
- § Medical insurance where employer liability schemes are possible
- § Compensation in the case of work injury resulting in disability
- § Maternity care for the disabled mother
- § Compulsory provision of crèches in all the work places for the children of disabled mothers
- § Reservations and Concessions in services
- § Special skill up gradation programmes
- § Special schools and Teacher Training centers
- § Tax rebates for the disabled persons as well as the parents of the disabled children

## **SOCIAL SECURITY FOR THE DISABLED IN ACTION**

Currently reservations in services, concessions in employment, disability pension under the Employees' provident Funds and Miscellaneous Provisions Act 1952, medical and maternity benefits under Employees' State Insurance Act 1948, benefits under the Workmen's Compensation Act 1923, special schools for the disabled children, disability specific assistance programmes are available in the country, through the coverage is not comprehensive.

Ironically, three major Social Security Acts listed above are the employer liability and employment related benefit schemes. They are operative only in the case of disability during the course of employment. There are no programmes for old age and survivor benefits in the case of the disabled who cannot be employed or the disabled person who are not employed even after crossing the employable age.

There are no programmes for the disabled, dependent and aged widows excepting some very meager assistance given by some State Governments such as old age pension of Rs. 75 per month. In addition we find that multiplicity of agencies and duplicity of benefits are very common to all the social security programmes available in India, and the plight of the persons with disabilities has no exception to this rule. Annexure II gives the status of pension/unemployment allowances for the persons with disabilities, State/union Territory wise-source: Chief Commissioner Disabilities

### **PROGRAMMES/SCHEMES REQUIRED TO BE DESIGNED FOR THE DISABLED PERSONS**

Currently available schemes or programmes do not comprehensively address the problems of the disabled persons. The major Social Security Acts available in India aim only at employment related disability. In fact a large number of the disabled persons are outside employment or in informal economic activities or simply dependent on their parents, children and/or spouses.

In some of the Rural Development and other programmes there are some disabled beneficiaries. However, keeping in view the statutory provision of 3% reservation for persons with disabilities in all poverty alleviation schemes, the coverage is negligible. This provision needs to be effectively implemented.

In the United States the Social Security and Supplemental Security Income disability programmes are the largest of several Federal Programmes that provide assistance to people with disabilities. While these two programmes are different in many ways, both are administered by the Social Security Administration and only individuals who have a disability and meet medical criteria may qualify for benefits under either programme. Supplemental Security Income (SSI) is a Federal income supplement programme funded by general tax revenues (not Social Security taxes) it is designed to help aged, blind and disabled people, who have little or no income; and it provides cash to meet basic needs for food, clothing, and shelter. Based on the international best practices and the India specific requirements there is an urgent need to formulate the following types of benefits and programmes:

- i. Universal old age defined benefit Pension Scheme for the disabled without any means test (As Social Assistance) should be thought of based on national average wage that guarantees poverty alleviation among the persons with disabilities;
- ii. Universal medical benefits (possibility of establishing opening separate outpatient windows for the disabled should be seen to lessen the hardships of the disabled patients who stand in the general queues in the public hospitals), free treatment to the disabled persons by corporate hospitals could be thought of as a precondition for grant of license to the corporate hospitals;
- iii. Universal Unemployment Assistance to the disabled persons with means test will definitely alleviate poverty among the persons with disabilities and employable. However, a scheme of discontinuance of the benefit in the event of non-acceptance of employment may be thought of to protect them from falling into unemployment trap;
- iv. Trying up with corporate hospitals to extend medical care at a concessional rate to the disabled, where the disabled have a capacity to pay, and subsidizing cost of surgical treatments in the hospitals;
- v. Social assistance to the disabled children and scholarship schemes for them if they are school going. Pre-examination training to enable them to sit of competitive examinations along with other candidates;
- vi. Special Employment and Skill up gradation programmes
- vii. Bank credit at subsidized rate of interest for the self-employment projects taken up by the disabled persons (NHFDC activities needs to be expanded)
- viii. Reservations in services and other concessions provided needs to be effectively implemented

- ix. Incentives to be given to employers encouraging employment of the disabled persons in consonance the provisions in the PWD Act, 1995.

### **FINANCING OF THE SCHEMES**

The approach to financing the schemes designed for the disabled persons as also launching of new social security schemes for persons with disabilities should be broadened and the following options including the traditional budget allocations out of the Government funds need to be explored:

- Finance from the general revenues or tax financed as a major source;
- Collection of cases from the industries, employment in which leads to occupational diseases and work hazards;

Special tax on luxury items and those items consumption of which are injurious to health

Contribution from employed parents of the disabled to establish a separate fund for Disability welfare;

Donations from charitable organizations; Donations from international donors and agencies;

Employer share of contribution at enhanced rates for the programmes designed to address contingent poverty;

### **ADMINISTRATIVE ARRANGEMENTS**

The current Administrative arrangements for delivery of support and benefits to the persons with disabilities are scattered. There is neither a uniform benefit formula nor is there any single agency that administers or guides the programme. It is suggested that multiplicity of agencies or departments currently looking after disability benefits need to be integrated together to have comprehensive programme design and implementation policy under one umbrella with a Chief Executive officer.

However disability specific branches under that agency may be designed to continue the professional approach. As per the Act, one of the jobs of the office of Chief Commissioner for persons with disabilities is to monitor utilization of funds disbursed by Central Government. This needs to be ensured. A National Commission has also been set up recently to aid and advice the Government regarding disability and rehabilitation matters and to recommend action. Data may be collected through census as also NSSO surveys at regular intervals.

A National Unique Identification Number on the lines of National Social Security Number may be thought of to avoid duplicity in benefit delivery. The State Governments may start, in right earnest issue of identity cards, preferably, SMART cards with assigning such numbers.

All the States may appoint independent State Commissioners, who, as per the Act, may perform their quasi-judicial function in supervising and implementation of various provisions of the Act, and redressing grievances. Administration arrangements may be made for collection and recording of contributions and donations for developing a fund for social security programmes for disabled.

The current system of collection of contributions under protective Social Security schemes need not be disturbed; investment of funds and budgetary allocations made for the purpose need to be enhanced and designing effective income generating schemes may be given attention. Suitable schemes along with administrative arrangements may be made for delivery of benefits including medical benefits, old age pension and benefits in cash or kind.

### **CONCLUSION**

The current Social Security programmes are employment related and do not appear to have any special attention to the disabled persons. To be eligible for the benefits one has to become disabled after

getting into employment. This approach does not address the disability ab-intio and major problems of non-employment and poverty among the disabled persons.

Disabled persons in India are the most vulnerable group. Unfortunately, disabled persons irrespective of their economic status are subjected to social exclusion in the society. Economic, psychological and social confidence building is therefore immediately necessary. Social Security programmes for the disabled, to some extent will relieve the pain of being dependent.

Comprehensive administrative arrangement, pooling up funds from various sources and delivering the benefit under professional supervision and control are the other immediate requirements. Lack of information and dissemination and absence of a single window approach make persons with disabilities often unaware of what benefits and schemes are available to them.

Besides ensuring that available benefits reach them, more resources from local state, national and international agencies, Government and Non-Government Organisations need to be mobilized. For example, resources available under various Departments/Ministries and schemes such as:

- Rural Development,
- HRD Ministry
- Labour Ministry
- DRDA Programmes
- Grant in aid schemes for special schools
- Pension schemes
- UNDP programmes
- CARART
- NHFDC and international funding organisations such as NORAD, Action Aid, SIDA, DANIDA and others need to be harnessed.

## REFERENCES

Abromovitz, M. (1995), "The Elements of Social Capability", in Koo, B. H and D. H. Perkins (eds.) Social Capability and Long-Term Economic Growth (New York, St. Martin's Press).

Adarkar, B.P., (1944), Report on Health Insurance for Industrial workers, Officer on Special Duty, Labour Department, Government of India, Shimla (Government of India Press).

Ahmad, E. (1991), "Social Security and the Poor: Choice for Developing Countries", in The World Bank Research Observer 6(1).

Ahmad, Etisham, Dreze, J, Hills, J &. Sen, A. (1991), Social Security in Developing Countries, Clarendon Press.

Anand,S. and Ravallion, M. (1993), "Human Development in Poor Countries: On the Role of Private Incomes and Public Services", in Journal of Economic Perspectives 7(1).

Awasthi, R. and Panmand, D. K. (1994), Ralegan Siddhi: A Model for Village Development (Bombay, Foundation for Research and Community Health).

Besley, T. and Coate, S. (1992), "Workfare versus Welfare: Incentives Arguments For work Requirements in Poverty Alleviation Programs", in American Economic Review 82(1), pp. 249-261.



Beveridge Committee Report, (1942), "Social Insurance and Allied Services". Report by Sir W. Beveridge, London, HMSO, CMD. 6404.

Burgess, S and Stern, N. (1991), " Social Security in Developing Countries: What , Why, Who and How?" , in Ahmad et. al. Social Security in Developing Countries( Oxford, Clarendon Press).

Chatterjee, Mirai. Et. al. (1994), "Organizing for Social Security- Some experiences of Self - Employed Women Workers" in Social Security in Developing Countries, (Social Security Association of India, Friedrich Ebert Stiftung, New Delhi)

Chelliah, R. J. and Sudarshan, R. (1999), Income Poverty and Beyond: Human Development in India (New Delhi, Social Science Press).

Datta, R.C. 1998. "Public Action, Social Security and Unorganized Sector", in Economic and Political Weekly 33(22).

Dev.S, Mahendra. (1995) "Government Interventions and Social Security for Rural Labour", Indian Journal of Labour Economics, Vol. 38 No 3.

Dreze, J and Sen A.K (1991), "Public Action for Social Security Foundation and Strategy" (Oxford University press, New Delhi).

Dreze, J and Sen, A.K. (1989), Hunger and Public Action (Oxford, Clarendon Press).

Dutta, B., Panda, M and Wadhwa, W. (1997), "Human Development in India", in Subramanian, S(ed) Measurement of Inequality and Poverty (New Delhi Oxford University Press).

Durvasula, R., (1992), 'Occupational Health Information Systems in India', in M. R. Reich and Okubo, T. (eds.) Protecting Workers Health in the Third World (New York, Auburn House).

Ganapati, A.L. (1994), " Social Security in India- Some Suggestions" in Social Security in Developing Countries, (Social Security Association of India, Friedrich Ebert Stiftung, New Delhi).

Getubig, I.P. and Schmidt, S. (eds.) (1992), Rethinking social security. Reaching out to the poor (Kuala Lumpur, United Nations Asian and Pacific Development Centre).

Ginnikan, Wouter Van. (1998), Social Security For All Indians ( Oxford University Press, New Delhi).

Government of India (GOI). (1966), Report of the Education (Kothari) Commission, 1964-66 (New Delhi).

Government of India (GOI). (1991), Report of the Committee for Review of National Policy on Education (NPE) (Ramamoorthy Committee), New Delhi.

Government of India (GOI), Ministry of Social Justice and Empowerment. (1999), First Report of Expert Committee for Devising a Pension System For India (New Delhi, OASIS).

Government of India (GOI), Ministry of Finance. (2000), Economic Survey 1999-2000 (New Delhi).

Government of India (GOI), Ministry of Labour. Indian Labour Statistics and Pocket Yearbook of Labour Statistics (Shimla/Chandigarh).

International labour organization, (1984), "Introduction to Social Security" ILO, Geneva.

International Social Security Association (ISSA), (1990-1998), "Developments and Trends in Social Security" ISSA.

International Social Security Association ISSA, (1991), "Social Security Protection of the Rural Population in Developing Countries" Report of the Asian Regional Round Table Meeting , (Regional Office of ISSA New Delhi).

James H. Schulz., (1996), "Economic Support in Old age: The role of Social Insurance in Developing Countries", International Social Security Association (ISSA).

Johri C.K. (1995), "Social Security for workers in India" Encyclopedia of Social Work in India.

Mahendra, Dev, S. (1997), "Growth, Employment, Poverty and Human Development: An Evaluation of Change in India since Independence with Emphasis to Rural Areas", in Review of Development and Change II (2).

National Family Health Survey (NFHS). (2000), Health and Family Welfare, India: 1998: 1999 (Mumbai, International Institute of Population Studies).

National Sample Survey Organization (NSSO). (1998), Attending and Educational Institution in India: Its level, nature and cost [NSS 52nd Round] (New Delhi, Government of India), Report no.439.

Prabhu, K. S. (1996), "Health Security for India Workers", in The Indian Journal of Labour Economics, 39 (4).

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