



## Challenges Faced By Women with Disabilities in India

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### ABSTRACT

Women with disabilities in India face numerous challenges that stem from the intersection of gender and disability discrimination. These challenges encompass various aspects of life, including education, employment, healthcare, accessibility, social stigma, and violence. Education is a fundamental right, yet many women with disabilities in India encounter barriers to accessing quality education. Physical infrastructure in schools often lacks accessibility features, making it difficult for them to navigate classrooms and facilities. Moreover, there is a lack of inclusive education policies and trained teachers equipped to cater to the diverse needs of students with disabilities. Employment opportunities for women with disabilities are limited, further exacerbating their economic vulnerability. Discriminatory attitudes and inaccessible workplaces hinder their ability to secure gainful employment. Additionally, prevalent stereotypes about the capabilities of individuals with disabilities often result in their exclusion from the labor market. Healthcare services in India often fail to address the specific needs of women with disabilities. They may encounter obstacles in accessing reproductive health services, including family planning and maternal care. Furthermore, attitudinal barriers among healthcare providers can lead to neglect or mistreatment, contributing to disparities in health outcomes. Accessibility remains a significant challenge for women with disabilities, as public spaces, transportation systems, and buildings are often not designed with their needs in mind.



This lack of accessibility restricts their mobility and independence, further marginalizing them from participating fully in society. Social stigma surrounding disability and gender exacerbates the challenges faced by women with disabilities in India. They may experience double discrimination, facing prejudice and exclusion both as women and as individuals with disabilities. This stigma can manifest in various forms, including social isolation, ridicule, and limited opportunities for social interaction and relationships. Moreover, women with disabilities are at heightened risk of experiencing various forms of violence, including domestic violence, sexual assault, and exploitation. They may face additional barriers in seeking help and accessing support services due to societal attitudes, inaccessible facilities, and a lack of awareness about their rights. Addressing the challenges faced by women with disabilities in India requires a multifaceted approach that includes policy reforms, investment in accessible infrastructure and services, awareness-raising initiatives, and efforts to combat stigma and discrimination. By recognizing and addressing the intersecting factors that contribute to their marginalization, society can work towards creating a more inclusive and equitable environment for all women, regardless of ability.

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**Introduction:**

Swami Vivekanand says, 'Just as a bird can not fly with one wing only, a Nation can not march forward if the women are left behind (by Diksha).

The term "disability" is a generic one that covers any limitation or inability to do a task within the parameters that are generally accepted to be normal for human beings. It provides an overview of a wide range of functional restrictions that can affect any population, in every nation. Physical, intellectual, sensory, or medical disorders, as well as mental illnesses, can all cause disability in people. These impairments could be reversible or irreversible, progressive or regressive, and they could be short-term or long-term (Legal Service India).

Disability is a complicated social issue that is causing more and more global concern. In India, one of the most neglected concerns is the rights of women with disabilities (WWD). Because the society now views



them, the rights and benefits of women with disabilities are ignored. Even there are a million of people who have various kind of disabilities, it is horrible that such a large number of populations endures daily misery as a result of inadequate care and treatment (Mehrotra, 2004).

Social justice and human rights are the keystones of the Indian Constitution. It requires the State to treat well in every member of the community accurately and equally in all stages of human life. Four more laws in India are focused on the protection, welfare, rehabilitation, and advancement of people with disabilities. Although these laws address all pertinent disability-related issues, they are silent on the violence and prejudice experienced by women with disabilities, which set them apart from men with disabilities (Oliver, Barnes 2010).

In September 2007, India adopted the 2006 UN Convention on the Rights of Persons with Disabilities (UNCRPD), which places on concerns about widespread discrimination against women with disabilities. Additionally, the Indian parliament has produced a bill titled "THE RIGHTS OF PERSONS WITH DISABILITIES BILL, 2014" in order to implement key articles from the UNCRPD (2006) into our country's legal framework (Raha, Sengupta: 2018).

One of the most at-risk and neglected segments of society is comprised of girls and women of maximum ages who have any kind of impairment. They are countless, but they stay unnoticed and unspoken, their worries unheard and their rights are dismissed. Women with disabilities suffer the cross of society on their backs and endure triple prejudice due to their conditions, gender, and social economic status. As a result, their options and chances are severely constrained. They are frequently stigmatized as being sick, weak, dependent, infantile, incompetent, and asexual. They experience financial, emotional, sexual, and physical abuse, as well as neglect, social exclusion, trafficking, institutionalization, degrading treatment, incarceration, denial of medical care, forced sterilization, and forced mental therapy. Due to social prejudices and biases that aim to oppress certain groups, they are at a significant risk of experiencing gender-based and other sorts of violence (ibid).

Globally, young girls and women with disabilities are subjected to forced sterilization for a variety of reasons, such as eugenics-based population control, menstrual management and personal care, and pregnancy avoidance (including pregnancy that results from sexual abuse). The "most interests" of women and girls with disabilities have been contend and justified by governments, legal, medical, and other experts, as well as family members and caregivers. However, justifications for acting in their "best interests" frequently have less to do with the rights of women and girls with disabilities than they do with



social issues, such as avoiding burdening caregivers or the absence of adequate safeguards against sexual abuse and exploitation of women and girls with disabilities. In particular for women and girls, poverty leads to impairment. They are more likely than their male counterparts to go without basic essentials like food and medicine when there aren't enough resources available to them. Because of the added costs that a disability may impose, it in turn makes people more vulnerable to poverty. As a result, girls with disabilities are more likely than their non-disabled counterparts to grow up in low-income families, which puts them at a disadvantage in terms of their educational opportunities. According to what is known, girls with disabilities who live in rural regions have a lower likelihood of having access to education than those who reside in cities. According to some study, girls with mobility impairments have greater access to schooling than girls who are blind, deaf, or have other disabilities especially if it is community-based (Dudley 1999).

### **United Nation Convention on the Rights of Persons with Disabilities (UNCRPD)**

The (UN) approve the Convention on the Rights of Persons with Disabilities in December 2006, define a Code of Implementation and describing in detail the rights of people with disabilities. The international treaty is seen as a paradigm shift from the funded based approach, which scene people with impairment as objects of charity, medical cure, and protection to a rights based approach, which sees them as subject capable of claiming their rights and making benefit of the new approach is that the disability is proclaimed to be a mainstream issue, and their status will be reflected in national assessments of development and poverty reduction strategies. Persons with disabilities are those who have long term physical, mental, intellectual, or sensory impairments that when combined with other barriers, may prevent them from fully and equally participating in society. This definition of disability is found in Article 1 of the UNCRPD. In accordance with their requirements and situations. people with disabilities are to be encouraged, protected, and given the opportunity to enjoy fully and equally all of their human rights. Accessibility, individual mobility, rehabilitation, engagement in political life, and other important topics are enfolded (Gupta, Arora, 2020).

According to (UNCRPD) Article 6, states that parties are required to acknowledge that women and girls with disabilities experience multiple forms of discrimination due to their disability and sex, and must take all necessary steps to secure their full development, advancement, and empowerment as well as to ensure that they can fully enjoy all of the human rights and fundamental freedoms framed in UNCRPD. Beyond this specific article, the preamble and articles relating to general principles (Article 3(g)), awareness-raising (Article 8(b)), freedom from exploitation, violence, and abuse (Article 16), health



(Article 25), and a sufficient standard of living and social protection (Article 28(2)(b)) all mention gender concerns (KOTHARI, 2010).

### **Legal framework for the protection of rights of woman with disabilities in India:**

Disability is not one of the categories of non-discrimination in the Constitution, which nonetheless protects equality under Articles 14, 15, and 16. According to Article 14, no person in Indian territory may be denied equality before the law or equal protection under the law. The State is not allowed to discriminate on the basis of sex, according to India's Constitution, Article 15. There is a proviso attached to the article that states that nothing in it should impede the State from creating particular arrangements for women. According to Article 16, the State is prohibited from enforcing sex-based discrimination in terms of employment equality.

### **Persons with disabilities equal opportunities, care of rights and full participation Act (1995):**

The most comprehensive piece of legislation pertaining to disable people (Equal Opportunities, Protection of Rights and Full Participation) Act of 1995, (PWD) Act. There are fourteen chapters, each addressing a different topic. Persons with disabilities are defined as those who have fixed by medical authority, have at least 40% of any kind of disability, in accordance with section 2(t) of the PWD Act. In addition, section 2(I) defines what is meant by "disability" as "blindness, low vision, leprosy-cured, hearing impairment, loco motor handicap, mental retardation, and mental disease." Sections 25 through 66 of this Act contain provisions for the social security (Section 66) and rehabilitation (Section 56) of disabled people.

The PWD Act is notable because it is the first act in India to address the social and economic rights of people with disabilities. But it falls short in terms of addressing all matters pertaining to the rights of people with disabilities, particularly in terms of avoiding abuse and exploitation against women with disabilities. The government is required to align laws or other legal requirements with the terms of the convention following the approval of the UNCRPD in September 2006.

People with disabilities face major issues with violence and abuse, especially women with disabilities who are more vulnerable than able people. Women with disabilities are more likely to experience sexual harassment, domestic violence, workplace abuse, and other forms of exploitation. especially if they are mentally impaired, they are frequently relatively simple candidates for sexual exploitation. Because disabled women tend to live in relative solitude and invisibility, there is a greater risk of physical and



psychological exploit. As a result, they are an easy target for exploitation inside the family. Women with impairments may also have less resources to go to for assistance due to their isolation and simultaneous condition (Feingold 1994).

The Safety of Women from Domestic Violence Act, 2005 is already in effect in India to protect women who experience domestic abuse, but it is necessary to implement gender-specific measures to ensure the protection of women with disabilities from abuse, violence, and exploitation. The Domestic Violence Act of 2005 may also be amended to make the protection it offers available to women with disabilities (Lord: 2014).

Women with impairments are devalued by society since they are viewed as non-sexual, unfit for marriage, and incapable of being mothers. They are less likely to get married as a result of this misperception. If they do get married, it is typically under less-than-ideal circumstances. Furthermore, medical professionals have compelled or forced people to undergo permanent and irrevocable sterilization treatments all around the world. It is considered systemic prejudice and a serious violation of the human rights of women and girls with disabilities, and it includes acts of torture and cruel, inhuman, and humiliating treatment. It results in widespread rejection of their right to have sexual experiences, sexual relationships, and to establish and sustain families, which may cause them to become extremely socially isolated and feel lifelong loss (Mohammad 2018).

According to a number of studies, women with disabilities and girls are particularly vulnerable to physical and sexual assault. While researching the disability issue, we discover several related factors. One of the biggest causes of lifelong handicap in girls is a lack of access to health care during childhood. Additionally, it can be more challenging for women who are physically challenged to flee assault. People who are deaf could find it difficult to ask for help or express mistreatment. With intellectual or psychosocial problems, women and girls may not be aware that non-consensual sexual activities are crimes that need to be reported. These difficulties are made more difficult by the stigma attached to sexuality and disabilities. Disability has both a cause and an effect related to gender-based violence and discrimination. Women frequently experience increased discrimination due to their gender, age, and membership in a minority. Son preference, abandonment of girls, unfair feeding practices, child marriage, and dowry are only a few examples of gender-related acts of violence that cause mental, physical, and psychosocial disabilities. Aside from that, the most frequent types of violence against disabled women in India are probably rape or sexual harassment. In addition, physical abuse by family



members or intimate partners is frequently not recognized a crime rather than a regular occurrence (Mehrotra 2006).

Under the Criminal Law (Amendment) Act of 2013, the following accommodations were made to support women with disabilities: The right to record their statement with police in the privacy of their home or a location of their choice; the ability to have their statements to police and examinations videotaped; the ability to have a special educator or interpreter present when the complaint is being recorded; and the exemption from the requirement that the statement be repeated during cross-examination by the defense counsel.

However, (HRW), discovered that very few police personnel have the expertise or training required to handle these cases. Due to survivors' incapacity to establish a disability, police in certain instances disqualified women and girls with impairments from receiving the special support that the 2013 amendments granted. In other instances, the police's First Information Report lacked the vital information (FIR). Police also infrequently informed survivors or their families of their legal rights to free legal assistance or legal aid agencies. It makes them more traumatized and helpless.

#### Gender-based Violence:

Women and girls with disabilities are especially susceptible to mistreatment. In Orissa, India discovered that almost all of the women and girls with disabilities were abused at home, 25% of women with intellectual disabilities had been raped, and 6% of women with disabilities had been forced sterilized (Mohamed, Shefer 2015).

Women and girls with disabilities experience prejudice and accessibility issues because of both their gender and their disability. Women with impairments cannot access many services intended to help them. The needs of women and girls with impairment not be fulfilled by programmes designed to help those with disabilities. It may be necessary to implement both human rights instruments for women and human rights instruments for people with disabilities and also protect the human rights of women and girls with disabilities (Ghai 2022).

#### **Women with disabilities as witnesses:**

Due to harmful stereotypes or communication issues without accommodations, the legal system frequently fails to view women with disabilities as competent witnesses. Their protests or testimonies are



ignored since society generally fails to recognize women with disabilities as sexual beings and has a tendency to "infantilize" them, while simultaneously viewing women with mental impairments as hypersexual and lacking in self-control. The sheer fact that a woman has a disability, particularly one that affects her psychosocial functioning or her intellectual capacity, or that she needs assistive communication or accommodations, may cause the court system to consider her as unreliable. When a witness is a woman with a disability, judges may demand more supporting evidence than in other situations, and prior mental health treatment may be used to refute testimony. Frequently, there are additional witnesses against the accused in addition to the complaint. Women with cognitive impairments could appear less believable because they might have more trouble recalling long-term memory or the order of events. The judicial system can consider individuals to be too weak to face the rigors of inquiry due to paternalistic beliefs (Mehrotra 2004 p. 5640).

Although there is a global trend toward disabled women trying to carve out their own identities in this complex culture, their situation is still extremely different in developing nations, particularly India. The situation of women with disabilities is extremely upsetting since, in addition to gender difficulties, they have a triple handicap and are subject to prejudice because of their condition. From neglect to physical abuse to depriving them of even the usual roles of marriage and parenthood, violence against women with disabilities can take many different forms. The person suffers extreme trauma as a result of physical abuse from family members, partners, and close friends before committing suicide.

Due to the perception that women's work is subordinate to that of males, disabled women face discrimination. In most societies, a woman's primary responsibilities are still being a wife, mother, and housewife, while a male is still the primary decision-maker and source of money. Women are less likely to have the opportunity to pursue education and vocational training since they are considered as investments for higher-value work. Despite shifting public perceptions, a global decline in the number of illiterate women, and an increase in the number of women entering the workforce, for women with impairments, little has changed in the circumstances (Kabeer, 2008).

In general, many still believe that a woman with a disability has limited chance of getting married, pregnant, or landing a serious career. As a result, she will always be a financial and social burden on her family and the government (Fine, Asch, 1981).

Despite making up 4% of the population overall, there are only 1.5 percent of women with disabilities in the workforce. Stereotypes about women in the workplace and people with impairments are both issues



that women with disabilities must deal with. Women and people with disabilities are less likely to be employed or promoted in the workplace since they are both typically thought to be less capable. As opposed to this, the government has made it clear that people with impairments will not be excluded from promotions during their employment. In addition to attitudes and preconceptions, there are numerous more obstacles, such as legislation that are unwelcoming to people with disabilities and inaccessible workplaces. Women with disabilities are compelled to rely on their families without stable jobs in accessible settings.

### **Discrimination in education of disable woman's:**

A bigger picture of double discrimination based on gender includes the educational sector as well. When it comes to schooling, disabled women and girls perform worse than their non-disabled or impaired male counterparts. In addition, women with disabilities frequently encounter unfair hiring and promotion criteria, unequal access to education and other forms of retraining, unequal access to credit and other forms of useful resources, unequal remuneration for equal work, and occupational segregation in the workplace. Additionally, for a variety of social services, including residential services, impaired women are less likely than disabled males to use them due to social, cultural, and religious issues. Due to a lack of knowledge, awareness, education, income, and contact, challenges faced by women with disabilities are exacerbated in rural locations. Cultural bias against women, which results in preferential treatment and allocation of resources and opportunity to male children at the expense of their sisters, is the most often cited barrier to schooling for girls with disabilities. Respondents remarked that because girls are expected to marry and have children, education is seen as being less necessary for them. Males are given preference in education because they will be the breadwinners (Mohit, Pillai, Rungta: 2006).

Despite having the same rights to education as their male counterparts and non-disabled peers, girls with disabilities are the most excluded group of children from all educational settings, from primary school to higher education settings, as a result of numerous and intersecting forms of discrimination on the basis of both their gender and their disability. According to global figures, just 41.7% of girls with disabilities have finished elementary education, compared to 50.6% of males and 52.9% of girls without disabilities. The transition rate of children with disabilities to higher educational levels is also lower. Globally, there may be as little as 1% of disabled women who are literate. Women with disabilities who labour in the workforce suffer long-term impacts from a lack of education. The multiple educational challenges that women and girls with disabilities must overcome are not sufficiently addressed by current laws, policies, and initiatives. Due to negative assumptions about gender and disabilities, school attendance is low.



Because they are typically kept at home and their births could not be recognized due to misconceptions about their ability or family humiliation (Jameel Salma Syed, 2011).

Despite the fact that more women are enrolling in higher education, not much focus has been placed on the caliber of their experiences or the obstacles that stand in their way of learning in the classroom. In the past, universities' procedures, courses, and creators were men, for men. We argue that while women have been included in this century simply by virtue of their admittance, equal participation has not been attained, and this is particularly true for women in other underrepresented groups. We suggest that women bear a heavy price for these accomplishments, even though the sheer number of degrees awarded (at least at the undergraduate level) indicates the effectiveness of this accommodation. In this world of men, we battle more than our male counterparts with identity and self-worth (Litner, Rossiter, Taylor 1992).

When it comes to writings on gender and disability, women with impairments have been mostly ignored. In the world of education, there is a somewhat dismissive image of women with impairments. Women with disabilities are Triple Handicapped viewed as a social stigma in countries like India where education of girls is generally seen as a liability and are routinely refused access to education Lord, Raja, Blanck, 2015.)

In addition, the lack of defined programmes and policies addressing the educational requirements of girls with disabilities and the inability of gender equality and disability equity programmes to meet their needs further exacerbate their disadvantage. Strong disability-rights legislation has over the years resulted in a variety of programmes to promote educational parity for children with impairments, but few of these are gender-specific and incorporate gender-specific components to meet the particular challenges faced by girls with disabilities.

Accessibility to educational institutions continues to be a significant barrier for students with impairments, especially for female students. Therefore, it is essential to take preventative measures to ensure physical access for kids and young people with disabilities, especially for girls and women in schools and educational institutions, to a barrier-free environment by enforcing the requirement for provisions of universal design in buildings and providing assistance in transportation. There should be facilities for clean, separate restrooms. In order to supply specialized teaching and learning materials, aids and appliances, hardware, and software to students with impairments, an efficient communication and delivery system must be put in place (ADDLAKHA 2017).



These obstacles in the way of disabled women's educational possibilities serve as a stark reminder that simply being aware of the issues at hand is not enough. The necessity of taking specific actions is in fact highlighted. It is crucial to examine how current programmes are being implemented and what policies are in place at the onset in order to pinpoint the variables that will determine whether the effort to enroll and keep children with disabilities in regular classrooms is successful or not.

Having a daughter with a disability may be seen as a double burden, which would devalue the entire family, as disability is a source of stigma in many cultures. Some families hide away disabled girls completely in order to avoid being "shamed" or denying them access to schools. Last but not least, gender roles and economics frequently converge. In poor families, the few resources available will be used to educate the boys in the hopes that they will eventually contribute to the family's support. Girls are less likely to attend school, especially if they have special transportation needs or are disabled and require expensive adaptive equipment (Bratberg, Dahl, Risa 2002).

The discrimination that has led to missed opportunities and social marginalisation for women with disabilities disadvantages them. The solution to the issue must first and foremost come from a shift in people's views and behaviours rather than through charitable giving or welfare programmes, which only serve to reinforce prejudice and ignorance (BROWN, MOLONEY 2019).

### **Importance of education for disable woman's:**

A solid education is a requirement for everybody who wants to have options in life. As much as possible, education should be provided in the nation's regular school system. Women with impairments have a greater chance of enrolling in vocational training if they are able to complete the country's basic schooling requirements. Their vocational training equips them with specialised skills needed for jobs on the job market. So, it improves their chances of finding work—and not just any work, but good work. The education that disabled women have already obtained in school is enhanced by vocational training. It might occasionally make up for a lack of possibilities for a quality education in the past. Vocational training's final goal is suitable employment; it is not an end in and of itself. The possibility to escape poverty, reliance, and social isolation is provided by having a work for the disabled woman.

The Sustainable Development Goals state that the education of people with disabilities, particularly women with disabilities (WWDs), has become a major global priority in academic circles. In a similar vein, the Incheon Declaration said that educational objectives should not be achieved unless they are achieved by all. Therefore, it is promised that all education policy must center on the marginalized,



especially people with disabilities, including WWDs (UNESCO, World Education Forum, 2015). The concept of an inclusive education system was developed in a number of nations early in the 18th century to teach all students, regardless of their differences. Research studies have highlighted the necessity of treating students with impairments similarly in terms of facilities and opportunities. Women with disabilities can become independent and self-reliant by obtaining higher education, which gives them the knowledge, skills, and credentials they need. It gives individuals the resources needed to achieve their objectives, make wise decisions, and take an active role in society. For women with impairments, a college education offers up a world of job options. It makes them more employable and raises their chances of landing fulfilling, well-paying careers. They can become financially independent and contribute to the workforce with the information and skills they get from a higher education. It encourages the development of the individual. It fosters self-assurance and critical thinking in women with impairments. Higher education also encourages women with disabilities to participate in society and be included. It gives students the chance to engage with many groups of people, which promotes empathy, understanding, and respect for various points of view. Additionally, a college education equips students to participate in civic and communal activities that advance societal advancement and well-being. Additionally, institutions of higher learning frequently offer accommodations and support services to students with impairments. Assistive technology, accessible educational materials, academic help, counseling, and resources tailored to those with disabilities are some examples of these services. Women with disabilities show their potential and break social norms by going after higher education. Their presence in universities dispels myths and encourages the inclusion and acceptance of people with disabilities. by funding women with disabilities to pursue higher education We can build a more equal and inclusive society that respects and upholds the rights and ambitions of every person (Sarkar 2023).

When we talk about the education of disable woman we remember the education of Helen Keller.



Helen Keller

Source: Wikimedia Commons

Helen Adams Keller was born in West Tuscumbia, Alabama, and following a medical episode when she was 19 months old, she went blind and lost her hearing. When she was seven years old, she met her first instructor and lifelong friend Anne Sullivan, and from that point on, she mainly used house signals to communicate. Language skills, such as reading and writing, were taught to Keller by Sullivan. Keller attended Radcliffe College at Harvard University and became the first deafblind person to receive a Bachelor of Arts degree after receiving his or her education at both specialized and regular institutions. Then she became Author, activist, and educator. Between 1924 to 1968, Keller worked for the American Foundation for the Blind (AFB). She travelled to 35 nations during this time, including the United States, to advocate for people who have lost their vision.

### **Conclusion:**

We can say that Girls and women of all ages with any form of handicap make up one of the most vulnerable and underserved groups in society. They are numerous, but they continue to go unseen, unheard, and to have their rights ignored.



The educational field also forms part of a larger picture of double discrimination based on gender. Disabled female students perform worse in school than their non-disabled or impaired male peers. In addition, discriminatory hiring and promotion practices, unequal access to education and other forms of retraining, unequal access to credit and other forms of helpful resources, unequal pay for equal work, and occupational segregation in the workplace are all frequent occurrences for women with disabilities.

The Indian constitution's laws and statutes that are intended to protect women with disabilities from discrimination are not functioning as intended. No one comprehends her as a member of society due to her gender or disability.

Due to their impairment and gender, girls with disabilities are more likely to be bullied and teased by their peers, which has an adverse effect on a child's emotional and cognitive development and can also lead to low self-esteem.

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