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**Ignored Voices: An Overview of the life of the Women
with Disabilities in India.**

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Abstract:

It has been held from ancient times that men and women are not equal. Some socially prescribed identities have been forced onto both genders. Based on people's biological or physiological differences, performances, competence, retention, and other capacities, society has developed some negative conceptions and established some binaries such as normal/abnormal, able/disabled, fit/unfit, etc. In order to oppress women, patriarchal society has created separate standards for men and women. It views women as weak human beings who serve as spouses, mothers, nurses, and sisters. In a culture that is governed by men, women lack freedom and safety. Men have always held a higher standing than women and are still are viewed as more significant than women.

There have been different waves of feminism with their own charter of demands regarding women's rights but there was no particular demand for women with disabilities. It seems that women with disabilities have no purpose in this world and are considered as useless in the society. Even at the very onset the women who struggled for their rights and identities did not raise their voices for women with disabilities. Harlan Hahn, a disability activist and political scientist has observed that disabled women often encounter "asexual objectification". Though the world of words masculine and feminine are categorized but women with disability have no category and have been deprived and treated as untouchables. The paper discusses this lack of voice in favour of women with disabilities that pushes them towards more uneasy world.

Keywords: *Empowerment, Women, Gender, Discrimination, Society.*

Introduction:

One of the most influential philosophers, Jean -Jacque Rosseau, whose political philosophy influenced the whole world, has enlightened the human thought,

composed a book called *The Social Contract: Principles of Political Rig.* The 'Subject of the First Book' opens with a revolutionary line – "Man is born free; and everywhere he is in chains. One thinks himself the master of others, and still remains a greater slave than they" (Rousseau, 1762). Hobbes had asserted in *Leviathan* (1651) that there are no binding standards of right and wrong in the natural world. People took for themselves all they could since and human life was "solitary, poor, nasty, brutish, and short." The state of nature, therefore, was in a perpetual state of war, which could only be halted if people decided (via a social contract) to cede their freedom to a sovereign, provided that sovereign authority also guaranteed their safety. Rousseau said that people live together in society in accordance with an agreement that establishes moral and political rules of behaviour. But he also believed in the possibility of a genuine social contract, one in which people in exchange for their independence would receive a better kind of freedom, a true political, or republican, liberty. By extending on Rousseau's notion we can say that people are born free, but, they are in chains in patriarchal society. Society has created different identities such as personal identity, cultural identity, social identity and so on but it is interesting to note that none of these identities are static. Being dynamic, these identities keeps changing always, for example, we all are getting older, becoming wiser and are not the same person as we were. Even though people are not born with any identity, it is constructed by others.

There are numerous traits that have been classified as disabilities. Among the list of "disabilities" are paraplegia, deafness, blindness, diabetes, autism, epilepsy, depression, and HIV. The term encompasses a wide range of conditions, including the congenital loss of a limb or sensory function, accidental loss of a limb or sensory function, chronic diseases like arteriosclerosis, progressive neurological conditions like multiple sclerosis, the inability or limited ability to perform cognitive functions like remembering faces or adding numbers, and psychiatric disorders like schizophrenia and bipolar disorder. Even old age is a kind of disability.

A person with an amputee, is labeled as disabled by others even though he/she may not have adopted that identity for him/herself. The medical model describes the negative effects of disability in terms of diseased states of the body and mind. It considers the physical differences in people with disabilities to be the primary cause of the limits they experience. When health care practitioners, bioethicists, and philosophers disregard or undervalue the contribution of social and other

environmental variables to the restrictions faced by individuals with disabilities, the medical model is rarely expressly defended, rather components of it are frequently taken without reflection. The social model, in contrast, describes the distinguishing aspects of disability in terms of the relationship between an individual and her social environment: it points at the exclusion of people with specific physical and mental traits, or "impairments," from what is considered normal important spheres of social life. Their exclusion is evident in the fabricated environment and in its organized social activities that prevent or limit the involvement of disabled persons.

Comprehensive categories of disability may include categories, such as weak, ugly, derailed, deformed, feeble minded and so on. If we look into the conditions of persons with disabilities, especially into women with disabilities, we find them to be more vulnerable. Being women itself was and is still considered to be a burden on the family, especially in rural and economically deprived families, and moreover if they are with disability, they become even more burdensome for the family and the society.

From the ancient times it is believed that men and women are not equal. They were made to perform and practice some socially sanctioned identities. Society has created some discriminatory notions based on people's biological or physiological differences, notions of performance, notions of competence, retention and other capacities and has created some binaries such as normal/abnormal, able/disabled, fit/unfit etc. Patriarchal society has constructed dual standards for men and women that are oppressive to women. This kind of society are comfortable to consider women as wives, mothers, nurses, sisters and is looked at as weaker human beings. Women not free as men in choice of living and in their roles and in a male-dominated society they are also unsafe. From the very beginning, men occupied a higher status than women and women were considered less important than men.

Aristotle thought that women were defective men, with rational and moral capacities inferior to men. Plato radically promoted equality of opportunity, yet he frequently contradicted himself by his disregard towards women. Manu treated women like property, with the owner having sole authority. He unequivocally asserted that women are like property who belonged to the father in youth, belongs to the husband when married and belongs to the son in old age. Women were occasionally regarded in Manu's code in the same manner as slaves or Shudras. Regardless of her husband's personality, she was required to treat

him as her God. Society fixed women's duty as bearing children and taking care of their family.

As we know in 1948 in at Seneca Falls Convention in the United States, a group of women gathered for the first time to officially discuss women's rights. They mapped out their problems, and they demanded for equal rights and for women's suffrage. This incident is considered as the first feminist movement, and it gradually spread all over the world including India. This wave of feminism gave birth to many other waves of feminisms but there were no particular demands made for women with disabilities. It seems that women with disabilities fall outside the purview of human rights and these women are considered negatively by the society. Even at the very onset the women who struggle for their rights and identities, did not raise any voice for women with disabilities. Though the words masculine and feminine belongs to some category within the binary structure, women with disability has no category and has been deprived of mentions, often treated like untouchables. This lack of voice in favor of women with disabilities pushes them towards a darker world.

People with disability are associated with the ugly, the weak, the deformed, and with mental incapacity. This is more acute for women with disability. According to United Nation Population fund (UNPF)- "Marginalization, stigmatization, discrimination, social exclusion, inability to participate in public life are a few of the stringent hardships that women with disabilities face as compare to men with disabilities" (United Nation Population Fund, 2019). This paper will analyse different connotations of Gender, Disability, Identity, and Discrimination and how they are treated in society from the Indian perspective. The paper will look at how their lack of voices pushes them towards more oppression and exploitation in India.

Gender, Disability and Discrimination

The term gender has a different connotation than sex but it is closely related to sex which is related to the physiological and biological body. It refers to socially constructed differences between male and female body. Gender is embedded so thoroughly in our institutions, our actions, our beliefs, and our desires, that it appears to us to be completely natural. The world swarms with ideas about gender – and these ideas are so commonplace that we take it for granted that they are true, accepting common adage as scientific fact. (Penelope and McConnell,¹) According to Judith Butler gender is not something we are born with and not

something we *have*, but something we *do* (West & Zimmerman, 1987)– something we *perform* (Butler, 1990). According to Raewyn Connell, - “Gender is the structure of social relations that centres on the reproductive arena, and the sets of practices (governed by this structure) that bring reproductive distinctions between bodies into social processes.”

Simone de Beauvoir’s *The Second Sex* (1997) claims that “one is not born, but rather becomes, a woman” (Beauvoir, 1949) and applying this concept broadly it can certainly be said that one is not born, but rather becomes disabled in a society not sympathetic enough to the physical incapacities in men and women. Almost everyone in this world will experience some kind of disability, physical or mental , at some point or other in their life either temporarily or even permanently. It is a part of being a human not to be physically upright throughout our entire life span. Douglas Baynton has written, “Disability is everywhere, once you begin looking for it, but conspicuously absent in the histories that we write”.

According to ‘The Rights of Persons with Disabilities Act, 2016’ Person with a disability " means a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others.” Disability results from deterioration of health conditions, mental and physical, such as depression, cerebral palsy, and down syndrome, with personal and environmental factors such as negative attitudes, limited social support, inaccessible transportation and public buildings. There are many connotations and explanations about disability, but we should remember it is not a disease, rather, it is impairment, and it has different causes. A child may be born with extra fingers or with small legs or hands or other genetic defects. It may be hereditary or accidental. A person’s environment also has a huge effect on the experience and extent of disability. If the environment is unfriendly and unapproachable, it will create different types of barriers like attitudinal, organizational or systematic architectural or physical, information or communicative barriers or technological barriers.

Under the *Accessibility for Ontarians with Disabilities Act*, person with disability has a responsibility to learn about accessibility for persons with disabilities and how it relates to the development and delivery of accessible programs and courses. The new legislation contains a schedule identifying 21 “impairments” for certification. There are some confusions regarding the terms like “handicap”, “impairment” and “disability” which are in use in disability studies. To solve this, World Health Organization (WHO) in the International

Classification of Impairments, Disabilities and Handicaps (1980) has made a distinction between the three terms. Impairment refers to “any loss or abnormality of psychological, physiological or anatomical structure or function.”, on the other hand, Handicap is defined as “a disadvantage for a given individual that limits or prevents the fulfilment of a role that is normal” while disability means “any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being.”

According to Rights of Persons with Disabilities Act, 2016, “discrimination” about disability means “any distinction, exclusion, restriction based on disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field and includes all forms of discrimination and denial of reasonable accommodation.

Sexual Assaults in India

According to World Report on Disability 2011 about 15% of the world's population lives with some form of disability, of whom 2-4% experience significant difficulties in functioning. The global disability prevalence is higher than previous WHO estimates, which date from the 1970s and suggested a figure of around 10%. This global estimate for disability is on the rise due to population ageing and the rapid spread of chronic diseases, as well as improvements in the methodologies used to measure disability. Globally 1 in 5 women live with some form of disability or other. Women are facing different forms of adversity such as physical or verbal harassment, molestation, sexual abuse or sexual assault all over the world since a long time. India which is known as country of mothers (Bharat Mata) where motherhood is an ideal is not free from these burning problems. Although Indian Government has been taken some initiatives and passed laws for women to protect them, they seem to be not enough. Women and girls with disabilities also experience disparities and adversities with multiple intersecting discriminations and marginalization. I will refer to a few examples of the sexual assaults on women with disabilities in our country, which were published in various newspapers and journals.

1. In June 2013, Chandra, a 12-year-old girl with cerebral palsy, was kidnapped, raped and left bleeding in a field near her home in West Bengal

- state, India. [3] Chandra was unable to speak, sit, stand, or walk independently, so she could not call for help or go home. After several hours, some villagers found Chandra in the field. She died a few months later due to health complications. (Bhattacharjee, 2018, p. 04)
2. In Delhi, Pooja, an 11-year-old girl with an intellectual disability, was taken to the police station in August 2013 by her father after she was allegedly raped by a neighbor. (India, 2022)
 3. Maneka (name changed), a 15-year-old girl from Delhi with both an intellectual and physical disability, was reported to be raped by two men from her neighborhood in October 2015. (Bhattacharjee, 2018, p. 7)
 4. In 2014, a 23-year-old woman with cerebral palsy was allegedly gang-raped and thrown from the rooftop in the eastern Indian state of West Bengal.
 5. In August 2014, in a village in Herbertpur, Uttarakhand, Razia, a 13-year-old girl with an intellectual disability and difficulties speaking, was raped by her younger brother's 17-year-old tutor. (Bhattacharjee, 2018, p. 09)
 6. In the Banaskantha district of Gujarat a 12-year-old girl with speech and hearing impairments was abducted on October 16 and her body was found the next day. Her body was found in a field with her throat slit. The police started probing the angle of sexual violence. (Rogers, 2020)
 7. In a similar case in August, a 10-year-old deaf girl was kidnapped in Hodal near Palwal of Haryana. It was found that she was raped and murdered and her mutilated body was recovered from the fields.
 8. Very recently, a mentally challenged girl was brutally raped by the father of the victim's brother's friend on 16 April 2022 in Posta, Kolkata. The culprit has been identified as 60 years old man named Raghunath Mandal. According to the report the accused man was asked to take care of her in the absence of her parents. But the man allegedly raped that mentally impaired girl and fled from the area. (Service, mentally challenged girl alleges rape in Posta, 2022)
 9. On 23 April 2022, a policeman was arrested because he had allegedly sexually assaulted a specially-abled minor on a running auto at maniktala, Kolkata. The culprit was identified as a Debu mandal, a constable of Reserve Force of Kolkata Police. The complaints tell the girl was minor, and

especially abled. She was traveling with her mother in the auto when she was sexually assaulted. (Service, Molests cuffs on the cop, 2021)

10. In Bihar's Madhubani districts, a girl with disabilities was gang raped. The girl was 15 years old, and she was suffering from deafness and muteness. The police said the eyes of the girl was completely damaged by the rapists so that she can would not be able to identify them. She was in critical condition. (Desk, 2021)
11. A thirteen years old minor girl was brutally raped and murdered in Jharkhand on 22 august 2020. The girl was suffering from speech impairment. According to the police the rapist raped the girl and crushed her face so that no one could identify her. Police has arrested the culprit and locked her in jail. (Raja, 2020)
12. A thirteen years old girl with disability was gang raped by three men. One of the culprits named Asif was arrested and other two rapist fled from the spot. The girl was taken to the hospital and the accusation was proved. (IANS:, 2013)

The condition of women with disabilities has not improved in the twenty-first century in the era of technological advancement and AI. Since women with disabilities are physically, and sometimes mentally weaker, they are the easy to target. They are often raped, assaulted, and murdered but very few of those incidents are publicly revealed and get to see justice. Disability and Women's Studies provide a special space to look at women with disabilities.

The pervasive paradigm of discrimination alerts us about the recurring phenomenon of discrimination in the lives of women with disabilities. Feminist disability studies are now working on the lives of women with disabilities and trying to deliver their ignored voices to the masses. It discusses the overlapping relationship of identity of women with disabilities with other identities of women such as gender, sexuality, and ethnicity. Crenshaw reminds us that we are unable to think in terms of unidirectional theories of privilege and oppression. Rosemarie Garland-Thomson reflects that Feminist Disability Studies focuses on examining the patterns of meaning attributed to "those bodies" rather than "specific forms, functions, and behaviors." Feminist Disability Studies "...tends to avoid impairment-specific or medical diagnostic categories to think about disability. Certainly, feminist disability studies acknowledge communities of people based on shared disability experience, and it recognizes the differences

among the wide variety of stigmatized forms of embodiment that constitute a disability in its broadest conceptualization—from blindness to intersex to dyslexia, for instance.”

4. Employment and Women with disabilities in India:

As we know there is this prevalent social perception that persons with disabilities are weak, deformed, unfit, and useless, therefore, it is very difficult to find employment for them. If we look at the history of employment of women with disabilities in private sectors, there is no data that shows woman with disabilities have been employed. Although Indian constitution talks about 3-4% reservations for the employee with disabilities in government and private sectors, this is probably not strictly followed. The new Disability Act which is the amendment of the former disability act of 1995, has increased the percentage of reservation from 3% to 4%, in our country, but it is not clearly mentioned what percentage of vacancy is allotted for women with disabilities. Our patriarchal mindset is accustomed to think of women as mothers, housewives, caretakers, nurses and suitable for other domestic tasks, and perhaps women with disabilities are not considered as capable of performing outside work.

There is a big gap between Man and Women in employment whether is it private sectors or Government sectors. Although the participation rate of female in employment is increasing gradually but there remains a great difference. The Annual Bulletin of Period Labour Force Survey (PLFS) 2019-20 data shows that the participation of women is way below that of men in India. FY 2020, shows that the men participation rate stood at 56.6 % but for women it was only 22.1%. From these data of employees of India, we can assume the poor percentage of women with disabilities in employment sector in India. Apart from these troubles, they face some more problems like, pay gaps, workplace harassment (if they get employed), domestic violence and tortures etc. Most of the organizations are not aware that an escort must be provided for the women with disabilities employees.

Provisions for Disabled Women in Indian Constitution: Indian constitution is the longest constitution in the world, it contains 448 Articles in 25 parts and 12 Schedules but it is an alterable constitution. Many amendments have taken place and it may be amended further if it is required. Indian constitution theoretically never supports any kind of discrimination based on race, gender, religion, ethnicity and the other discriminatory terms but at the onset of the Indian

constitution there was no particular Act for persons with disabilities. However, Indian Government initially undertook the amendments of laws for persons with disability and this law came to be known as 'Persons With Disability Act, 1995'. Latter this act was replaced as 'The Rights of Persons with Disability Act, 2016'. This new act increased the types of disability from 8 to 21. Under the Constitution the disabled persons, including women with disabilities have been guaranteed the following fundamental rights:

1. The Constitution secures to the citizens including the disabled, a right to justice, liberty of thought, expression, belief, faith and worship, equality of status and opportunity and the promotion of fraternity.
2. Article 15 (1) enjoins the Government not to discriminate against any citizen of India (including the disabled) on the ground of religion, race, caste, sex or place of birth.
3. No person in India irrespective of his belonging can be treated as an untouchable. It would be an offense punishable by law as provided by Article 17 of the Constitution.
1. Every person including the disabled has his life and liberty guaranteed under Article 21 of the Constitution.
5. There can be no traffic in human beings (including the disabled woman), and the beggar and other forms of forced labour are prohibited and the same is made punishable by law (Article 23).
6. Article 24 prohibits the employment of children (including the disabled woman) below the age of 14 years to work in any factory or mine or to be engaged in any other hazardous employment. Even a private contractor acting for the Government cannot engage children below 14 years of age in such employment.
7. Article 25 guarantees to every citizen the right to freedom of religion. Every disabled person (like the non-disabled) has the freedom of conscience to practice and propagate his religion subject to proper order, morality and health.
8. No disabled person can be compelled to pay any taxes for the promotion and maintenance of any particular religion or religious group.

9. No disabled person will be deprived of the right to the language, script or culture which he has or to which he belongs.
10. Every disabled person can move to the Supreme Court of India to enforce his fundamental rights and to move to the Supreme Court is itself guaranteed by Article 32.
11. No disabled person owning property (like the non-disabled) can be deprived of his property except by authority of law though property right is not a fundamental right. Any unauthorized deprivation of property can be challenged by suit and for relief by way of damages.
13. Every disabled person (like the non-disabled) on the attainment of 18 years of age becomes eligible for inclusion of his name in the general electoral roll for the territorial constituency to which he belongs.

Disabled Women and Education in India: Acquiring education from institution for persons with disabilities is no doubt a difficult task. Most of the parents keep their children with disabilities, especially girls with disabilities at home due to the stigma of shame of being parents of the disabled children. Moreover, we often come to know that girls with disabilities are not completely safe within the institution's premises. There are harassments from insensitive friends and associates. Most of the institutions have no ramps, lifts and other required infrastructure for the students with disabilities. There are very less number of institutions in India for the disabled students. Many schools have closed down due to insufficient teachers.

Universal Declaration of Human Rights (1948) proclaims education as a right for all children. This right mentions that disabled children require a special attention and it recommends some steps that could provide equal access to education to every category of disabled person. Indian government has approved some such acts such as Rehabilitation Council of India (RCI) Act, in 1992, Persons with Disability (PWD), Act 1995 and National Trust Act in 1995. The UN standards rules on the equalization on opportunities for Persons with Disabilities (1993) has recommended improvement in the educational conditions for disabled students. The world conference on special needs of education in 1994 which was held in Salamanca in Spain, was marked as the golden year for the students with disabilities. In this conference the representatives of 92 Governments and 25 international organizations were present. They agreed for a dynamic new

statement for disabled children in institutions to be normed. They decided “Those with special educational needs must have access to regular schools which accommodate them with a child centered pedagogy capable of meeting these needs”, among other statements. India also became signatory to these statements trying to implement them in our country. In 2002 through the 86th amendment Indian parliament made education a fundamental right. The right secures the rights of children to get free and compulsory education. Through this act all kinds of disabilities such as cerebral palsy, mental retardation, autism and multiple disabilities can pursue free education till the age of 18 years. But we find this has only been theoretically adopted.

Barriers in Development for Woman with Disabilities:

The things that hinder the development of an individual is called barriers. These barriers are created by the society, rather by a particular group of the society for a particular group of people. Women with disabilities undergo various types of barriers such as physical barriers, attitudinal barriers, social barriers, institutional barriers etc. which makes their lives difficult. Society never acknowledges their ability but it is ready to look at their impairments to put a stop to their developments. Women with disabilities are usually considered as a burden and society never grants the disabled women upward mobility due to these attitudinal barriers. Women with disabilities encounter huge problems. There is a general belief in Indian society that a disabled woman cannot give birth to a child, they cannot be a good wives or life partners or even a good friend. Being self-centered they cannot be a good nurses or care givers. There are and many other stigmas attached to men and women with disabilities.

Since they are differently abled, it is difficult for them to access public places such as buildings, markets. Due to unpaved, rough and mud roads and not having adequate mobility aids women with disabilities live a challenging life. The infrastructural facilities in India is not so developed yet for housing the disabled. Due to lack of especial facilities, especially for disabled women, they cannot access common toilets, common classrooms, common libraries and canteens. Organizational barriers also hinder the life of disabled woman. Like in some other countries like US and Japan, Indian disabled women do not enjoy technical apparatus and it's supports to live a better life. There are very few organizations, which demand especial rules and policies for disabled women, even feminist activists, and research works in this area is limited. All the above mentioned barriers surely are obstacles in the life of disabled women. Due to presence of

these barriers in the Indian society women with disabilities experience a discriminatory unhappy life.

Schemes for Women with Disabilities in India:

The Indian Government started several schemes for persons with disabilities to encourage them to achieve their goals. The government provides for educational, economic, social, and psychological rehabilitation, creation of a barrier-free environment, providing assistive devices, special education, vocational training and early intervention program for persons with disabilities, including the women with disabilities. Some important schemes for women with disability are-

- Deendyal Disabled Rehabilitation Scheme (DDRS)
- Scheme for Implementation of Persons with Disabilities Act, 1995 (SIPDA)
- Scheme of Inclusive Education for Disabled at Secondary Stage (IEDSS)
- Sarva Shiksha Abhiyan (SSA)
- Rajiv Gandhi National Fellowship Scheme for Students with Disabilities (RGNF)
- Scheme of National Overseas Scholarship for Students with Disabilities
- Scheme of Pre-Matric Scholarship and Post-Matric Scholarship for Students with Disabilities Gyan Prabha Scheme of National Trust

National Fund is allotted for the upliftment of all Persons with Disabilities including women's special provision for physically challenged women has been made in the following schemes: -

- National Overseas Scholarship for Students with Disabilities: six out of twenty scholarships are reserved for women candidates.
- Pre-Matric Scholarship and Post-Matric Scholarship for Students with Disabilities: 50% of the scholarships are reserved for girls.
- Scholarship Scheme from Trust Fund: 30% of scholarships are reserved for female students with disabilities

Conclusion:

From the above discussion it can be said that people with disability, especially women with disabilities are very much marginalized in Indian society. Only barrier free environment can give equal opportunities for men and women with

disabilities. This can be done by constructing new buildings keeping in mind the needs of the disabled or modifying the old buildings and other public places with adding ramps, lifts and restrooms for persons with disabilities. Developed transport systems can also improve the lives of persons with disabilities. Public vehicles like trains, buses, and other modes of transportation could be modified to allow persons with disabilities to access them comfortably. The Indian Constitution ensures equality, freedom, justice and dignity of all individuals and implicitly mandates an inclusive society for all including persons with disabilities, but in reality, persons with disabilities, are not considered equal or free.

Women with disabilities are often sexually assaulted or abused by others. The Government should look into this matter very sympathetically and should pronounce strict punishment for the culprits. We should be familiar with the notions defined by the different recognized institutions or organisations and scholars about impairments and disability. Indian government should train people including the employees so that they can also communicate with persons with disabilities. According to Desiree Sabuj, a deputy police commissioner, "We have had no training. When we meet a disabled woman, we may not know how to speak to her properly. The police are not cruel. In most cases, the police are simply ignorant. It is not that we don't want to believe them, but we also worry that if we make a mistake, the wrong person will be punished. The police need education and we need to be sensitized on how to handle these cases." Like the police, the society in general needs sensitization towards the disabled.

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