Chapter 11
Concerns for Individuals with Intellectual Disability in India

Priyanka Behrani
The Maharaja Sayajirao University, India

Dorothy Bhandari Deka
Gujarat Forensic Sciences University, India

ABSTRACT

Intellectual disability (intellectual developmental disorder) is characterized by deficits in general mental abilities, such as reasoning, problem solving, planning, abstract thinking judgment, academic learning, and learning from experience (DSM V). This neuro development disorder is one of the conditions with onset in the developmental period. This condition has been classified into four categories on the basis of the individual’s IQ (Intelligence quotient). The objective of the present paper is to highlight some of the areas that are related to the concerns for the people with intellectual disability. The paper focuses on the following topics: 1) Legal services, 2) Challenges faced by parents, 3) Health issues, 4) Sexual knowledge, 5) Marriage, 6) Quality of life, 7) Old age, 8) Attitude of society towards the individual with intellectual disability, 9) Implications, management and prevention for future improvement for individuals with intellectual disability.

INTRODUCTION

Intellectual disability (intellectual developmental disorder) is a neuro developmental disorders is one of the conditions with an onset in the developmental period. This disability is characterized by inability to cope up with the mental abilities as per the child’s chronological age (DSM V, 2015).

The common characteristics of intellectual disability are although uniqueness in every person, regardless of their IQ scores each individual has their own personality and areas of ability and difficulty. Generally a person with an intellectual disability has difficulty: learning and processing information as quickly as people without an intellectual disability. Grasping abstract concepts such as money and time, understanding the subtleties of interpersonal interactions, manipulating of the ideas and concepts is required for planning and organizing as compared to people without intellectual disability. The difficulties includes such as reasoning, problem solving, planning, abstract thinking judgment, academic

learning, and learning from experience. This inability results in impairments of adaptive functioning, such as the individual fails to meet the ideals of a person’s independence and social responsibility in one or more aspects of daily life, that includes communication, social participation, academic or occupational functioning, and personal independence at home or in community settings. Diagnosis for intellectual disability includes an expected delay in developmental milestones that involves various areas of intellectual functioning (Ahuja, 2011).

Individual factors include personality, social and communication abilities, coping strategies and the presence of other disabilities (motor, social or sensory). The supports provided by family, friends and support staff are also crucial aspects of people’s lives and have a profound influence on their confidence and function. Issues of access (including physical, social, communication, cognitive, financial access) to community based facilities and services also play a powerful role in either enabling or inhibiting opportunities for inclusion, participation and contribution and the ability of the individual to fulfill their community roles. (CDDH, 2015)

Presently, individuals with intellectual disability in India, majority of them are still excluded by the society irrespective of identified or unidentified. To fully understand the challenges that individuals with intellectual disability are facing within the Indian society, is by understanding that the barriers are primarily rooted in religious beliefs, cultural norms, and majorly lack of awareness regarding intellectual disability. India’s rigid social structure within the society becomes a hurdle in inclusion and acceptance for individuals with intellectual disability.

LEGAL SERVICES PROVIDED FOR INDIVIDUALS WITH INTELLECTUAL DISABILITY

According to National Legal Services Authority (Legal Services to the Mentally Ill Persons and Persons with Mental Disabilities Schemes, 2010), there are 14 rights that are rendered to the individuals with intellectual disability. Rights provided to the individuals with intellectual disability such as, legal services to mentally retarded persons (MRs), appointment of guardians under the National Trust Act, 1999 for the their welfare in the society.

Matters to be considered while representing legal services to individuals with intellectual difficulty:

1. Individuals with Intellectual disability are not mentally ill individual.
2. Legal services to Individuals with Intellectual disability.
3. Legal services for ensuring the health care.
4. Legal services for ensuring the fundamental rights of individuals with intellectual disability.
5. Right to education.
8. Legal services for individuals with intellectual disability for owing and inheriting properties and to have financial rights.
10. Need for setting up of a supported network.
11. Creating awareness campaigns amongst the other school children.
12. Awareness camps for educating the family members of individuals with intellectual disability.
13. Awareness programs for the general public.