**CIVIL RIGHTS & ENTITLEMENTS OF DISABLED CHILDREN**

**Palak Jagtiani[[1]](#footnote-1)\***

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**Disabled children and Civil Rights**

Disabled children have the right to enter their local cinema. This is a civil right: it is a right that disabled children have by virtue of the fact that they are *citizens*, that, within this particular society, they have the right to be treated the same as other citizens. Again, it is based on disabled children being the same as nondisabled children – they are citizens of their country in the same way that nondisabled children are. It is unlawful for a provider of services to discriminate against a disabled person in refusing to provide, or deliberately not providing, to the disabled person any service which he provides, or is prepared to provide, to members of the public.

Disabled children need this kind of civil right i.e. protection as citizens under the laws of the society in which they live, if they are to have access to their universal human rights.[[2]](#footnote-2)

**Disabled Children and Entitlements**

Disabled children have the right to assistance with travelling to and from services which enable them to fully participate in the life of their community. This is an entitlement to a particular form of assistance that disabled children require if they are to have access to both their human and their civil rights. It is based on the recognition of difference, the recognition of additional requirements that some children need if they are to access their right to be treated the same as all children.

The recognition of *difference* therefore can be an important way of getting access to the *same* things as everybody else. The trouble is that historically and still today, when disabled children’s difference is recognised it is all too often in a context of being separated from their nondisabled peers and being denied both their civil and their human rights.[[3]](#footnote-3)

Thus it is very important for the people in the country to know the difference that the disabled persons have been guaranteed with rights and also that there are different types of rights as mentioned above namely the human rights for the disabled and the civil rights for the disabled. Also along with these rights there are entitlements. By explaining the classification it is very easy to understand the fact that recognition of having human right is independent on that of the civil right. Hence there should be adequate sources so as to inform people and worthy citizens of the country that the disabled children have been granted similar rights as to that of the nondisabled and kept on an equal footing with them.

1. \* Teaching and Research Associate, Gujarat National Law University, Gandhinagar. [↑](#footnote-ref-1)
2. Available at http://articles.timesofindia.indiatimes.com/2012-04-30/news/31506268\_1\_homebased-education-home-based-education-disabilities [↑](#footnote-ref-2)
3. Disabled children human rights and children act [↑](#footnote-ref-3)