Chapter 6
Towards Equity and Inclusion:
Legal Exploration for Inclusive Business Practices Integrating CSR and Disability Rights in India

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ABSTRACT

This chapter delves into the intricate interplay between human rights, corporate social responsibility, and global sustainability, focusing on the nexus of disability rights and inclusive business practices. While examining international agreements and Indian domestic laws, the research uncovers challenges in implementing regulations that mandate fair treatment and prejudice eradication for individuals with disabilities. In parallel, it scrutinizes the complexities of inclusive business practices, a cornerstone of CSR, emphasizing the need for substantial overhauls in corporate culture and policies. It also explores gaps in political theory, analyzes capabilities theories and social mobilization, and advocates for a strategic approach aligning CSR with inclusive practices for authentic inclusivity and equitable employment opportunities. This chapter further analyzes the international and domestic legal frameworks pertaining to disability rights and argues for a more comprehensive legal framework in alignment with CSR policies.

INTRODUCTION

The interconnection between human rights, Corporate Social Responsibility (hereinafter, CSR), and global sustainability gives rise to a complex set of concerns that are brought to the forefront by the intersection of Disability Rights and Inclusive Business Practices. This scholarly pursuit explores the complex obstacles and potential advantages arising from the interaction of different legal aspects. The legal parameters of Disability Rights, as established in international agreements and domestic laws of India, require fair treatment and the eradication of prejudice towards those with disabilities (Oware, 2023). The aforementioned regulations, while clear in their fundamental tenets, have substantial challenges in implementation since persons with disabilities persistently face hindrances in their ability to receive school, get work, and participate fully in society (Blanck, 2020). These concerns highlight the enduring disparity between the legislation's intended purpose and execution.

Concurrently, Inclusive Business Practices, which serve as a fundamental aspect of CSR, comprise a diverse array of ethical responsibilities for firms. Nevertheless, the implementation of these responsibilities faces several obstacles within the realm of business entities (Cordero et al., 2014) Attaining authentic inclusion encompasses more than superficial gestures; it requires extensive overhauls in corporate culture, infrastructure, and employment policies. The objective of this study is to analyze the intricate legislative structure regulating Disability Rights and evaluate the actual implementation of Inclusive Business Practices in a critical manner. Through this endeavor, the aim is to illuminate the tremendous complexities that emerge when considering the convergence of these two conceptual frameworks, complexities that go beyond simply adherence to legal requirements (Gould et al., 2020). The chapter further evaluates the context of CSR initiatives aimed at disability education, societal empowerment, fellowship provision, harnessing skills, vocational training, and other related activities. It serves as a compelling plea, stressing the immediate necessity of addressing these concerns within the business sphere. The research not only provides a framework for mitigating existing disparities but also advocates for the creation of a global society characterized by inclusivity, fairness, and environmental consciousness. Furthermore, it seeks to inspire businesses to align with both legal mandates and ethical responsibilities in fostering positive change, particularly in the context of India.

The authors have identified several gaps in this context and have therefore conducted a comprehensive review of the relevant literature in this paper. The author has conducted a thorough analysis of the Capabilities theories and Social Mobilization Theory through the work of Gauthier de Beco, focusing on the current global and regional legal mandates (De Beco, 2021). The aim is to shed light on the gaps in political theory and the lack of equal moral consideration for disabled individuals.

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