

## National Policy for persons with disabilities

(GS Paper 1, Social Issues)

### Why in news?

- The **Department of Empowerment of Person with Disabilities (DoEPwD)** recently released the draft of the national policy for persons with disabilities.

### Why it has been introduced?

- The necessity for a new policy which **replaces the 2006 policy** was felt because of **multiple factors** such as **India's signing of the United Nations Convention on Rights of Persons with Disabilities**; enactment of a new disability legislation (Rights of Persons with Disabilities Act 2016) which increased the number of disabilities from seven conditions to 21 and being a party to the **Incheon Strategy for Asian and Pacific Decade of Persons with Disabilities, 2013-2022** ("Incheon commitment").
- The last was prepared **under the aegis of the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP)**, which identifies **10 goals for Asia-Pacific countries** to ensure the inclusion and the empowerment of persons with disabilities and conformity with the Sustainable Development Goals 2030.
- These commitments have changed the discourse around disability by **shifting the focus from the individual to society**, i.e., from a medical model of disability to a social or human rights model of disability.



### Omission:

- The principle of the draft policy is to showcase the **Government's commitment to the inclusion and empowerment of persons with disabilities** by providing a mechanism that ensures their full participation in society.
- In furtherance of this commitment, the policy document highlights a detailed commitment to education, health, skill development and employment, sports and culture, social security, accessibility and other institutional mechanisms.
- However, a glaring omission is the absence of any commitment to the **political uplift of persons with disabilities**.

### About political participation:

- **Article 29 of the Convention on Rights of Persons with Disabilities** mandates that state parties should "ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives...." The Incheon goals also promote participation in political processes and in decision making.
- The Rights of Persons with Disabilities Act 2016 embodies these principles within its fold.

- The anti-discrimination commitment under this Act recognises the political domain wherein disabled people should be allowed to realise their human rights and fundamental freedoms. The documents fail to take cognisance of such mandates.

#### **Valid concern:**

- Political empowerment and the inclusion of the disabled are an issue that has not found traction in India's democratic discussion. India does not have any policy commitment that is aimed at enhancing the political participation of disabled people.
- The **exclusion of disabled people from the political space happens at all levels** of the political process in the country, and in different ways.

#### **Inaccessibility of the voting process:**

- Section 11 of the Rights of Persons with Disabilities Act prescribes that "The Election Commission of India and the State Election Commissions shall ensure that all polling stations are accessible to persons with disabilities and all materials related to the electoral process are easily understandable by and accessible to them".
- Although this mandate has been in existence for a few years, the disabled people still report accessibility issues before and on election day. There is often a lack of accessible polling booths in many locations.
- There is still **no widespread adaptation of braille electronic voting machines** and even wheelchair services at all polling centres. The Election Commission of India has developed its own procedures for handling PwDs during the electoral process.

#### **Barriers to participation in party politics:**

- Political parties in India still do not find the disabled as the large electorate to specifically address their needs.
- The lack of live aggregate data on the exact number of the disabled people in every constituency only furthers their marginalisation. The lack of accessible space for party meetings, inaccessible transport for campaigning or an attitudinal barrier among voters and party leaders can be termed as contributing factors.

#### **Inadequate representation at the local, State or national levels:**

- Representation plays an imperative role in furthering the interests of the marginalised community. Disabled people are not represented enough at all three levels of governance.
- The **first visually disabled Member of Parliament in independent India, Sadhan Gupta**, hardly finds mention in our political or disability discourse. We have often failed to acknowledge disabled political personalities who have overcome the myriad barriers in India's political space.
- However, few States have begun the initiative at local levels to increase participation. For instance, **Chhattisgarh started the initiative of nominating at least one disabled person in each panchayat**.
- If a disabled person is not elected then they are nominated as a panchayat member as per changes in the law concerned. This is a step that has increased the participation of the disabled in the political space at local level.

#### **Approach:**

- The goal of the policy document cannot be achieved without political inclusion.

#### **The policy can follow a four-pronged approach:**

- a) building the capacity of disabled people's organisations and 'empowering their members through training in the electoral system, government structure, and basic organisational and advocacy skills';
- b) the creation, amendment or removal of legal and regulatory frameworks by lawmakers and election bodies to encourage the political participation of the disabled;
- c) inclusion of civil societies to 'conduct domestic election observation or voter education campaigns'; and
- d) a framework for political parties to 'conduct a meaningful outreach to persons with disabilities when creating election campaign strategies and developing policy positions'.

#### **Way Forward:**

- The document lays emphasis on the point that central and State governments must work together with other stakeholders to "make the right real".

- This right can be made real only when it includes political rights/political participation within it. This will only conform to the universal principle on disability, i.e., “Nothing about us. Without us.”