



STATE LEVEL REPORT ON CONSULTATION ON INCLUSION OF PERSONS WITH DISABILITIES (PWDS) IN ELECTORAL PROCESS



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Introduction

What is a ‘person with disability’?

‘The Rights of Persons with Disabilities Act, 2016¹ defines a “person with disability” as,

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.’

- This would in effect mean inherent barriers to inclusion of such persons in the electoral process

Types of Disabilities

There are 21 types of disabilities which are broadly classified into 6 types² -

1. Locomotor / Movement Disability

Defined as the person’s inability to execute distinctive activities associated with moving both himself and the objects, from place to place and such in ability resulting from affliction of musculoskeletal and/ or nervous system. Common causes could be poliomyelitis, cerebral palsy, autism, amputation, injuries of spine, head, soft tissues, fractures, muscular dystrophies etc.

2. Visual Disability

Refers to a person’s inability to see either fully or partially. A visually disabled person is known to be suffering from visual impairment. Low Vision or Poor Eye Sight: A person with low vision or poor eyesight is one who continues to have the problem even after going through medically approved corrective measures. This person with poor eyesight is still in a position to continue his tasks with appropriate assisted devices.

3. Mental Illness

Can include both mental ill health and retardation. Mental retardation is defined as a state of arrested or incomplete development of the mind, which is specially characterized by impairment of skills manifested during the development period which contribute to the overall level of intelligence, i.e., cognitive language, motor and social abilities. Mental ill health constitutes of schizophrenia, anxiety disorder and depressive disorder or any other problem, which is caused due to series of chemical changes in the brain.

4. Speech and Hearing Disability

A condition wherein the person is incapable of speaking and hearing any sound.

5. Learning disability

¹ (International Conference on Inclusion of Persons with Disabilities in the Electoral Processes, 2018, pp. 22-23)

² Disability in India Issues and Concerns – Chaudhary, Lena; (pp. 3-4)

It is a disorder, which affects the basic psychological processes of understanding or using written or spoken language. This disorder affects development of language, speech, and reading and associated communication skills needed for social interaction. Conditions such as brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia are examples of learning disabilities.

6. Multiple Disabilities

A combination of two or more disabilities as defined in clause (i) of section 2 of the Person with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995 namely Blindness/low vision Speech and Hearing Impairment, Loco motor disability including leprosy cured Mental retardation and Mental illness.

Data regarding Persons with Disabilities in Maharashtra

Data of top 5 States with number of disabled persons per disability wise as per Census 2011 (India) ³											
State	Overall			Disability							
	Total	Male	Female	Seeing	Hearing	Speaking	Movement	Mentally Retarded	Mentally Ill	Others	Multiple Disability
Uttar Pradesh	4,157,514	2,364,171	1,793,343	763,988	1,027,835	266,586	677,713	181,342	76,603	946,436	217,011
Maharashtra	29,63,392	16,92,285	12,71,107	5,74,052	4,73,271	4,73,610	5,48,418	1,60,209	58,753	5,10,736	1,64,343
Bihar	2,331,009	1,343,100	987,909	549,080	572,163	170,845	369,577	89,251	37,521	431,728	110,844
Andhra Pradesh	2,266,607	1,224,459	1,042,148	398,144	334,292	219,543	538,934	132,380	43,169	409,775	190,370
West Bengal	2,017,406	1,127,181	890,225	424,473	315,192	147,336	322,945	136,523	71,515	402,921	196,501

Highlights of Maharashtra State as per Census 2011 ⁴			
Sr no.	Data type	Age group	No. of people
1.	Total disabled population in Maharashtra	ALL	2963392 (2.64% of total population)
2.	Highest disabled population	20 to 29 years	492115
3.	Highest disabled male population	20 to 29 years	283598
4.	Highest disabled female population	10 to 19 years	209800
5.	Age group having highest no. of sight disability	10 to 19 years	93353
6.	Age group having highest no. of hearing disability	10 to 19 years	74733
7.	Age group having highest no. of speech disability	20 to 29 years	85942
8.	Age group having highest no. of movement disability	30 to 39 years	93685
9.	Age group having highest no. of mental disabilities (mentally retarded)	10 to 19 years	51319
10.	Age group having highest no. of mental disabilities (mentally ill)	30 to 39 years	12848
11.	Age group having highest no. of other disabilities	20 to 29 years	85849
12.	Age group having highest no. of multiple disabilities	10 to 19 years	36950

³ (State UT wise Persons with Disability:: Department of Empowerment of Persons with Disabilities, 2011); (Ministry of Statistics and Programme Implementation; Government of India, 2016)

⁴ (Maharashtra Disability Census Data 2011, 2011)

ECI's directions

Taking forward its theme of NVD 2018 "Accessible Elections" the Election Commission of India (ECI) has directed for consultation with stakeholders to devise a comprehensive strategy to be prepared to ensure adequate and quality facilitation of PwDs for their wholesome participation in the electoral process.

As per ECI's directions, consultations were to be first held at district level and the recommendations thus obtained shall be included in the **State level consultation**. ECI has also directed to hold district level consultations in the month of March and State level consultation by 15th April 2018. The consolidated report of state is to be submitted by 25th April 2018.

Compliance report

1. District level consultations on inclusion of Persons with Disabilities (PwDs) in electoral process were held in every district of Maharashtra in the month of March 2018.
2. Prior to that, special campaigns were conducted during SSR 2018 and National Voters' Day 2018 in Maharashtra to create awareness amongst Person with Disabilities (PwDs).
3. Awareness material such as guide for General voters in Braille and SVEEP plan for PwDs have been prepared, published and given to various districts.
4. As per GOI directions, offices of CEO and DEOs are made disabled friendly.
5. It is ensured that necessary facilities for PwDs shall be provided at polling stations at the time of elections.
6. Government departments such as Social Justice, Public Works, Higher and Technical Education, Secondary and Sports Education, Primary Education, Adult Education, NSS, NCC, NYKS, Scouts and Guides, NGOs have been partnered with in this programme.

Sr. no.	Instructions	Remarks
1	Website of CEO/DEO – to PwDs (A3 standards)	Preparation of A3 standard website shall be done at the earliest.
2	Identifying eligible PwDs, polling station wise, who are not listed in the electoral roll and their enrollment	Around 56000 PwDs have so far been enrolled in the electoral roll. Identification and enrolment of all PwDs is under process.
3	Mapping of PwD electors ahead of elections to extend assistance	Mapping of PwD electors is under process.
4	Accessible awareness material on election process e.g. in braille script and sign language	Yes. General Voters' guide in Braille language has been published and prepared. SVEEP Plan for PwDs is prepared and shared with all districts in Maharashtra.
5	Special camps for enrolment and sensitization of PwDs	Around 110 camps have been conducted in Maharashtra.

6	Appointment of PwDs as District / State icons	Respected PwDs have been appointed as icons in some districts.
7	Collaboration with NGOs/CSOs working for PwDs	Yes. NGOs working for PwDs welfare have been partnered.
8	Training of electoral machinery on sensitizing them for special needs of PwDs	Yes. Electoral machinery is being trained.
9	PwD volunteers involving in election process (as BLOs at Voters' Help desk etc.)	NGOs/CSOs have been requested to volunteer and help PwDs. Existing BLOs have also been asked to be involved as volunteers for PwDs during election period.
10	Accessible polling station including wide entrance, ramps, signages, wheel chair, A/V for hearing impaired, priority in voting etc.	Yes. It is assured that AMF will be provided at the time of voting.
11	Allocation of budget for accessible electoral processes	It is proposed to allocate budget for accessible electoral processes.
12	Designation officer appointed assembly-constituency wise for PwDs	Yes. EROs will be appointed as designated officers and AEROs as assistant designated officers for PwDs.
13	CEO/DEO offices made accessible as per GOI standards	Yes.

State Level Consultation

Accordingly, all districts held district level consultations and **State Level Consultation was held at CEO's office on 10th April 2018.** Following members participated in the consultation -

1. Department of School Education,
2. Department of Social Health,
3. Department of Social Justice and Special Assistance,
4. Commissioner, Welfare of Disabled Persons, Pune,
5. Director, Higher Education,
6. Director, Secondary Education,
7. Director, Primary Education,
8. Director, Adult Education,
9. Deputy Secretary, Department of Public Works,
10. State Information Officer, NSS, Mumbai.
11. Representatives of NCC, NYKS and Scouts and Guides,
12. Representatives of various NGOs.

Objective of the consultation

- To fill up the gap by including as many PwDs above 18 years in the electoral roll as possible.
- An action plan for providing facilities (and if provided, how to make it better) to PwDs for registration and voting.
- An annual SVEEP plan incorporating information, education and facilitation for Persons with Disabilities.

Processes deliberated in the consultation

- Identifying barriers to inclusion of PwDs in the electoral process; issues and challenges of barriers and how to overcome them.
- Good practices to overcome these barriers.
- Strategies for enhancing the participation of PwDs.

Barriers faced by Persons with Disabilities

List of barriers faced by Persons with Disabilities

1. **Social Non-Acceptance**

Many a times Persons with Disabilities suffer from social non-acceptance due to their condition and may therefore suffer from low self-esteem.

2. **Lack of awareness**

Ignorance of electoral process is one of the reasons for non-participation of PwDs.

3. **Need of sensitization**

There is a need to sensitize the officials of the electoral machinery regarding the special needs of PwD voters.

4. **Accessibilities**

Polling stations have to be made accessible to the disabled voters. In Maharashtra, however, all polling stations are PwD friendly in the election period.

5. **Identification**

Every PwD do not mention their disability, as it is optional to mention, in their Form 6. Therefore, it is difficult to identify PwDs.

Challenges in removal of barriers

- Lack of communication between election machinery and PwDs.
- Lack of sensitization of the society as well as election machinery.
- It is found that Persons with Disabilities do not generally wish to be identified as such in their official documents.
- Due to different types of disabilities, different types of facilities and communication are required.
- Poverty and lack of literacy.
- Lack of disabled friendly infrastructure.

Strategies for enhancing participation of Persons with Disabilities

Good practices developed by districts

- Special camps for awareness and education of PwDs about electoral processes were organized in various districts and further programmes are being organized in this regard.
- Government departments, NSS, NCC, NYKS, Scouts and Guides, and NGOs/CSOs are being involved for the special camps.
- PwD icons are appointed in various districts to make appeal to PwDs to involve themselves in the electoral process.
- Election machinery is sensitized through training programmes.
- Usage of accessible awareness material provided to educate and inform PwDs about electoral processes. Many districts have also created their own accessible awareness material.

Insights and proposals given by districts

- Under Section 123(5) of the Representation of the People Act,1951,
 - *Private vehicles being used by owners either for themselves or for members of their own family for going to the polling booth to exercise their franchise, but not going anywhere within a radius of 200 meters of a polling station*⁵.
- Vehicles of PwDs may be allowed to travel till the doorstep of the polling stations to cast their vote by relaxing 200 meters restriction.
- In case of voter identity cards, when filling Form 6, there is an option to state whether the applicant is a Person with Disability. It is found that Persons with Disabilities do not generally wish to be identified as such in their official documents.
- Through ELCs, school and college going children should be sensitized about PwDs and their rights.
- Polling booths should be setup at ground floor level to facilitate ease of movement for PwDs.
- Politically neutral NGOs should be appointed to ensure enrollment of PwDs in electoral roll.
- NGOs working as volunteers for PwDs may be allowed to vote through postal ballot.
- The information about enrollment & voting should be included in the special news given on Doordarshan, local radio for PwDs.
- NCC & NSS members may be appointed as volunteers for PwDs during poll period for helping PwDs to reach polling stations and any other help if required.
- Voice SMS system and WhatsApp can be used to send important messages about election.
- Seating arrangements may be made available for PwDs outside polling stations.
- Wheelchairs should be provided to PwD voters at the time of voting.

⁵ (Model of Code of Conduct Compendium 2015, p. 103)

- Proxy voting for legal guardian(s) of mentally sound but physically unfit voters such as bedridden PwDs may be made available.
- For those PwDs who do not possess both hands, they may be allowed to use their foot for voting on EVMs.

Insights and proposals given by members of State Level Committee

- It is found that families of PwDs are hesitant to take them to Polling station due to issue of transportation and/or social stigma. Therefore, families of PwDs should also be made aware and sensitized.
- Information regarding PwDs will be shared by the NGOs with CEO office.
- It is proposed to conduct training exercises for BLOs by the NCC, NSS who educate PwDs.
- It is proposed to share publicity material prepared by CEO office in the future for publicity campaign regarding PwDs with members to reach even more people.

Human Stories

Inspiring and courageous tales of people from Maharashtra were presented in the book, **Belief in Ballot: 101 Human Stories from Indian Elections**⁶ which highlighted their relentless zeal with which they exercised their right to franchise despite facing personal odds.

1. Edward Moorthy, got his foot inked at a poll booth in Orlem, Malad, Mumbai Suburban district on 24th April, 2014. Moorthy lost his arms in a train accident while going to his workplace a couple of years ago. It is therefore proposed to make this practice mainstream in all polling stations.



2. In the parliamentary elections held in 2014, along with millions of other Indians, the world's smallest woman, Jyoti Amge also exercised her right to vote. She voted at Nagpur in Maharashtra. Amge is just 62.6 cm (a little over two feet) tall. The 20-year-old Amge, a resident of Nagpur, was accompanied by her family members as she cast her vote. "Election machinery in our district was so helpful that I could cast my vote easily," she said.



⁶ (Publications Division, Ministry of Information and Broadcasting, Government of India, 2016)

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