

Imagining an accessible India

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LSE's Sivaramjani Thambisetty observes how the Electronic Delivery of Services Bill could mark the coming of age of the disability movement in India.

A few months ago while parked at Bangalore's RT Nagar, I was approached by a parking warden with a glint in his eye. He claimed that the car I was in had been wrongly parked eight months ago in another area in Bangalore and that I owed him a parking fine as a result. I was incredulous, to say the least, until he showed me an electronic tag created on his hand-held device that showed the date, time, and address of the violation. It matched my car and my aunt's street address and was a date that I recognised as being her granddaughter's birthday. Impressed by the device, and the accuracy of the information displayed, I paid and received confirmation that the tag had been deleted.

Remarkable as it is, the above instance of technology use could soon be overshadowed by new e-governance initiatives. The Electronic Delivery of Services Bill in India aims to deliver all government services electronically, making public services more efficient and squeezing corruptible spaces by losing the human interface that makes bribery possible. Essentially it gives all central and state governments five years to start providing for several aspects of governance and public services, such as driving licenses or ration cards, and approvals, sanctions, payment of fees and charges, online. The bill is a staggering piece of legislation with multiple ramifications in different areas of governance.

The scale of the background work required to actualise the electronic delivery of services dwarfs legal and governance initiatives in other jurisdictions, even if the timeline has recently been thrown in doubt by the planning commission's decision to cut the online services' budget to half what the ministry of information technology wanted. Preparatory work includes buying adequately powered servers to run the online system, setting up over a million common service centres and the development of software adapted for local requirements. Presumably India would also have to sort out the power grid failures that recently left 700 million people [without power](#), as well as addressing the fact that only 1.14 per cent of the population has access to broadband internet.

Moreover, the bill as it stands does not mandate that the electronic delivery of public services must be accessible to persons with disabilities. This means that millions of people with visual impairment, dyslexia, and other disabilities will not be able to avail of public services delivered through electronic modes, a situation that will potentially exacerbate existing disadvantages in accessing public services.

In response to legal advocacy led by the [Inclusive Planet Centre for Disability Law and Policy](#), among others, and in acknowledgement of its inherently discriminatory nature, the Parliamentary Standing Committee on the bill has recommended changes. If these are implemented, electronic access for people with disabilities could for the first time be recognised by a non-disability specific legislation in India.

In a [report](#) made public in the last week of September, acceptance of three major changes stand out. First, defining



'assisted access' in the bill as 'assistance to access electronic services by users including users with special needs'. Second, recognising the need to provide multiple forms of assistance and formats for differently abled persons, such as forms in Braille and/or large print and provisions for the use of sign language, interpreters, or ground floor locations for service offices of EDS. Third, recognising the need to provide reasonable accommodation for those occupying statutory posts such as that of Disability Commissioner, who may themselves have a disability or become disabled during the course of their tenure.

Since India's ratification of the United Nations Convention on the Rights of Persons with Disabilities in 2007, disabled peoples organisations in India have tried to ensure that Indian law is compliant with the UNCRPD. However non-disability specific laws and regulations such as those related to the public services, banking, insurance, and air travel have not been addressed in a systematic manner even though these continue to have an impact on persons with disabilities.

Although these gains may seem basic by some governance standards, this particular development in India with respect to the EDS Bill marks the coming of age of the disability movement in India underpinned by the effective organisation of a hitherto factionalised sector, supported by legal research and advocacy. A [previous success](#) included an amendment to the Copyright Act of India that permitted the copying of protected works in order to make them accessible to the blind. Connecting the rights of the disabled to enabling technology and the provision of public services will accelerate the evolution of disabled law and policy in India. It is difficult to see how all of the gains will play out, but they do open up fascinating opportunities for legal and policy research.

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