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PRIORITISING ICT ACCESSIBILITY FOR PERSONS WITH DISABILITIES



Critical implementation measures are required to enable India march towards inclusive digital prosperity, and to safeguard and empower vulnerable citizens against adversities

Almost 80 million Indians, according to a World Bank report, struggle every day with some level of disability. That number is the entire population of Germany. In an age where internet access is a fundamental right for all, many Indians suffer without accessible information and communications technology (ICT). While India has commendably approved well-defined Acts and policies to promote the welfare of persons with disabilities, on-ground execution has been slow – at a high cost to millions of lives. The unprecedented global pandemic further exacerbated the situation for persons with disabilities and shone a spotlight on the urgent need for better ICT accessibility. While requisite policies and other legal and regulatory guidelines are robust and right in place, implementation has been an enormous challenge.

Think about the panic we may have felt without the ability to access technology or the internet in 2020. Most of us went online to access basic amenities, communicate with loved ones, stay employed, get an education, conduct financial transactions, and even healthcare. But as per an NCPEDP 2020 report, many persons with disabilities and our elderly could not avail of financial assistance, necessities of daily living, resources, and accessible technology.

A report by the Disability Legislation Unit of Eastern India and Centre for Advocacy and Research (CFAR) highlighted that 77% of differently-abled students, teachers, and their parents could lag in learning as they were unable to access distance learning methods, whereas 56.5% admitted to not attending classes



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regularly during the pandemic. The Right to Education is another fundamental right granted to all Indians that many persons with disabilities cannot access without appropriate ICT Accessibility.

This is evident from the fact that the DARE Index, which compares and ranks countries based on standard accessibility metrics such as country commitments – laws and regulations, capacity to implement, and overall progress on ICT Accessibility implementation; has also witnessed India’s decline by two places from 46 in 2018, to 48 in 2020. ICT accessibility refers to the design and availability of products and services in the information and communications space for all users, including those with varying capacities to operate the devices.

Our implementation rank fell by 14 points from 2018. The DARE index tracks ten technology areas, including mobile, websites, accessible content, assistive technologies, e-governance, and more. Robust policies are only the very first step. Unfortunately, we are lagging severely behind with on-ground implementation.

India ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in 2008 and enacted the comprehensive Rights of Persons with Disabilities (RPwD) Act, 2016. This landmark act recognizes that it is mandatory to adhere to ICT Accessibility across public and private sectors as part of fundamental human rights. In September 2019, the National Disaster Management Authority (NDMA) released detailed guidelines on ‘Disability-inclusive Disaster Risk Reduction’ (DiDRR). The National Digital Communications Policy (NDPC 2018) includes the need to promote Broadband for All by 2022 and achieve universal access through robust digital communications infrastructure, under its ‘Connect India’ objective. Section 1.4 reads, “Ensuring inclusion of uncovered areas and digitally deprived segments of society by: (a) channelizing the Universal Service Obligation Fund (USOF) for... (ii) Marginalised communities, women and persons with disabilities...”

Specifically, for COVID-19 relief, the Ministry of Social Justice and Empowerment (MSJE) mandated that all states disseminate COVID-19 information in Braille and audio formats, and that all government websites need to be accessible. But on-ground implementation was abysmal, and many states failed to execute these measures. As a result, persons with disabilities, the elderly, and other vulnerable sections of our society were left struggling.

Now more than ever, it is critical to prioritize and implement key strategic measures designed to empower Indian persons with disabilities to avail their basic constitutional rights. First, we must set up the inter-ministerial steering committee to implement and oversee accessibility measures within the government as recommended by the TRAI in 2018. This can be extremely beneficial to have a focused approach to offering immediate relief to persons with disabilities regarding ICT accessibility. This includes ensuring all

India DARE Index Score, 2020

Digital Accessibility Rights Evaluation Index

DARE Index Score: **48/100**

Global Ranking: **45**

Regional Ranking: **1**

PeerEconomic Development Group Ranking: **12**

Implementation Ranking: **60**



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high-priority government websites and apps meet accessibility standards and driving the widespread adoption of Universal Design standards.

It is also unfortunate that nearly four years after the passing of the RPwD Act, not many people are yet aware that accessibility compliance is mandatory and applicable to both public and private sectors. Building awareness, oversight, and monitoring of the RPwD mandates will go a long way towards empowering persons with disabilities in India.

Another top priority is to ensure that children with disabilities do not lose their ability to exercise their constitutional Right to Education. With COVID-19, remote and e-learning was not a nice-to-have luxury, but a necessity, as even government schools went online. India still has a long path to upgrade the infrastructure and adopt assisted technologies to foster an inclusive education system.

The National Education Policy 2020 (NEP) is being hailed as a new era in educational reform and takes cognizance of the concerns of the differently-abled and encourages home-based learning for them. It is excellent that the NEP recognizes the RPwD Act and its provisions for inclusive education, where students with and without disabilities learn together. These recommendations include non-discrimination in schools, accessible infrastructure, reasonable accommodations, individualized supports, use of Braille and Indian Sign language in teaching, and monitoring. The policy also has provisions for recruiting special educators with cross-disability training and incorporates disability awareness within teachers' education. The DoT's recent instruction to all Unified/Unified Access Services/CMTS Licensees for allowing specialised telecom services to customers with disabilities is a welcome step forward.

But persons with print disabilities are unable to access the thousands of accessible books available in international libraries. India only has access to 27,000

titles of the more than 650,000 titles available online (WIPO, 2014). A perceived ambiguity in the Indian Copyright Act of 1957 prevents these policies from being implemented to better education for children with disabilities. For almost 8.8 million blind and millions more with varying levels of visual-impairment, accessible books are essential for learning.

Global partners are still hesitant to share their accessible content even with certified Indian organisations until the Government of India ensures that the Indian Copyright Act is not misinterpreted and implemented against persons with print disabilities. The recent notification issued by the Copyright Office seeking comments from the stakeholders on the need for the copyright amendment may address such vital issues. Mandatory e-learning due to COVID-19 has made this an urgent matter, and if rectified, can offer great relief.

The nation has demonstrated incredible resilience and courage under fire during this global disaster. And it is now gearing up operations to inform, vaccinate, and track a billion people across the country against the COVID-19 virus. As we launch e-health, e-finance, and many more much-needed e-governance initiatives, we cannot lose sight of inclusivity and honouring the commitments set by the PM's 'Sabka Saath, Sabka Vikas, and Sabka Vishwas' campaign. Let us ensure we take all members of our society, including persons with disabilities, along with us on our road to recovery and beyond.

As our Father of the Nation, Mahatma Gandhi, beautifully pointed out, "The greatness of a nation is measured by how it treats its weakest members." This is all the more important for India to emerge even stronger than before from the pandemic situation. 🙏

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The views expressed in the column are personal (with research inputs from Abhijit Panicker and Chandana Bala)

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