

Assam: Where the constitutional rights have no meaning



Comments 2



Daya Nath Singh 25 April 2009 18299 views

‘Persons with disabilities are among the most disenfranchised sections of society. Although the Constitution of India guarantees equality to all its citizens and the Persons with Disabilities Act, 1995, guarantees equal opportunities, protection of rights and full participation for all persons with disabilities, the reality is something quite different’, said Ms Anju Talukdar, Coordinator, Disability Law Unit-NE, Human Rights Law Network (HRLN), addressing the media persons in Guwahati.

The Disability Law Unit-NE is a project of Shishu Sarothi, an NGO working for the empowerment of persons with disabilities. Human Rights Law Network is a collective of lawyers and social activists fighting for the rights of vulnerable sections of society i.e. persons with disabilities, women, children’s rights etc.

Ms Talukdar said that it was glaring apparent in every election held in the country and the Lok Sabha elections held in Assam recently, were no exception. The law of the land mandates that all polling booths in India should be made disabled-friendly. Unfortunately, most of the polling booths in Assam were not so.

The Supreme Court, in the year 2007, directed that all polling booths in the country should be made accessible for persons with disabilities. This was followed by a notification issued by the Election Commission directing all Electoral Officers in the state to ensure that all polling stations are made disabled-friendly.

As the law stands, the requirements should be met with to ensure that the rights of voters with disabilities are not violated during elections. These are ramps to be provided for the convenience of locomotor disabled, Braille Electronic Voting Machines to be made available for visually impaired voters, Persons with disabilities should not be made to stand in queue, visually impaired voters to be permitted an escort and

publicity to be provided in electronic and print media well in advance about the accessibility of polling booths so that persons with disabilities are encouraged to vote.

In a clear departure from the requirements of law, most of these requirements were flouted; she said adding in a survey conducted by HRLN, Shishu Sarothi and other disability activists across the state, it was found that many of the polling stations did not have ramps, despite the presence of stairs. Braille EVMs were almost completely absent. No publicity was provided to encourage disabled voters to come out and vote.

However, she said that the polling officials were by and large helpful and sympathetic to disabled voters. Many of them acknowledged that the facilities that should have been provided for persons with disabilities had not been provided. They lamented that lack of infrastructure facilities. It is unfortunate that in many cases the polling booths were situated in highly inaccessible places, high up on a hill or in rooms requiring climbing of several steps. In some cases the steps were too steep or too numerous to even attempt building of a ramp. In accessible polling booths make voting very difficult for many, particularly the disabled and the elderly and for persons with severe locomotor disabilities, it becomes impossible.

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