

Universal Service Obligation Fund's Pilot Project Scheme for Access to ICTs and ICT Enabled Services for Persons with Disabilities in Rural India.

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'To enable persons with disabilities¹ to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems...'

-Article 9 of the U.N Convention on the Rights of Persons with Disabilities

Introduction:

India is home to one of the largest disabled population in the world. As per census 2001, 21.9 million Indians suffer from some form of disability. **Seventy five per cent of persons with disabilities** ("PwDs") **live in rural areas.**² A good percentage of these would either be unemployed and/or illiterate. Inclusive and sustainable development demands that Government policies and resources aimed at this section of the population reach rural areas where the majority of PwDs reside. Particularly in rural India 'poverty and disability form a vicious circle. Poverty, many a times becomes a cause of disability, like, due to malnutrition, lack of clean drinking water, disease, lack of access to medical help. The family would make all efforts to get the best treatment, rehabilitation, school, training, mobility aid, other assistive aid, transport, etc., which would be a drain on the family's resources. The disabled member often remains a non-earning member of the family due to lack of opportunities. Moreover, it is also possible, that one or more people from the family are required to be with the disabled member at all times, and are therefore, not able to move out for earning.³' The disabled in rural India face many barriers to inclusion. To

¹ those who have longterm physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others (Article I UNCRPD)

² <http://socialjustice.nic.in/aboutdivision3.php>

³ Persons with Disabilities in Rural India, Baseline Report, February 2009 available at www.dnis.org/People_with_disabilities.pdf

begin with they may find it difficult to communicate (as in case of a speech or hearing impaired individual) and to lead lives of self-reliance and dignity. If at all they and their families are aware of assistive devices/technologies and if at all these are available, the cost may be prohibitive. In the absence of the same, they are often deprived of the ability to communicate effectively, to access to information and education and they miss out on many of the services and opportunities that normal people enjoy, due to their disability. They are unable to obtain employment and participate fully in and contribute to society. Their disability brings about isolation and marginalization. The position of disabled women is particularly poignant and they are a particularly vulnerable segment of the rural population.

There is another segment of the population which has similar needs. 'According to the Eleventh Five Year Plan document, the number of elderly persons in the Indian population is expected to increase from 71 million in 2001 to 173 million in 2026. A majority (80%) of the elderly population in the country live in the rural areas, thus making service delivery to them a challenge. Many of the elderly develop disability of various kinds with age and require specific medical attention, aids and assistive devices, social security, and the reassurance that they are cared for in our country. After contributing actively to the nation's development, elderly people often get isolated into four walls completely dependent on family members for basic day-to-day activities. Even simple arthritis could restrict a person from going to the inaccessible bank, market place, post office, cinema house, garden, restaurant, and so on. Many elderly people also require psychiatric or psychological intervention.' It has been said that, "We must therefore stop relying totally on our family and social safety net to care for the elder, as we are doing now, and start working towards developing formal support and care-giving systems, using multi-sectoral approaches... Failure to do so with a sense of urgency will lead to an epidemic of unmanaged disability among the elderly, with its attendant ramifications"⁴ Finally the substantial illiterate/semi-literate populations of rural India face many of the challenges that the disabled face and many solutions would apply equally to aid in their inclusion into the socio-economic and political mainstream.

The Constitution of India guarantees equality, freedom, justice and dignity of all individuals and implicitly mandates an inclusive society for all including the persons with disabilities⁵ Suitable policies and programmes have been laid down/initiated by various Ministries and Departments of the

⁴ Krishnamoorthy, E.S., The Hindu, February 14, 2009, 'The Growing Challenge of Dementia: Health planners and policymakers need to work with a sense of urgency to cope with the looking burden of elderly disability in India', New Delhi.

⁵ Supra note 1

Government of India to address the needs of PwDs, with the Ministry of Social Justice and Empowerment being the nodal ministry.

Role of ICTs

Information and Communication Technologies (“ICTs”) can play an important role in facilitating the socio-economic and political inclusion and mainstreaming of PwDs as ICTs can enable them to access various services (health, education, government services etc), information, employment opportunities etc and most importantly, to communicate effectively in spite of their particular disability. However for ICTs to play this role, the ICT services must be available, affordable and be truly “accessible”. “[A]ccessibility is a measure of the extent to which a product or service can be used by a person with a disability as effectively as it can be used by a person without that disability⁶’.

In recognition of the significance of ICTs, the United Nation’s Convention on the Rights of Persons with Disabilities (“UNCRPD” or “Convention”), has stressed The Convention was adopted by the United Nations General Assembly on December 13, 2006 and has been signed by 146 countries as of September, 2010, of which 90 have ratified it, making it an enforceable legal instrument since May 5, 2008 (when the 20th ratification occurred). India ratified the Convention on 1.10.08⁷. Article 9 of the Convention defines ICT accessibility as an integral part of Accessibility Rights. Article 21 on Freedom of expression, opinion, and access to information specifically states that ‘States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice...’ Communication is defined by the Convention as including all possible means of interaction that may eliminate barriers. Communication “includes languages, display of text, Braille, tactile communication, large print, accessible multimedia, as well as written, audio, plain language, human reader and augmentative and alternative modes; means and formats of communication include accessible information and communication technology”. ICT accessibility is in fact included in all sector-specific accessibility accommodation and both Articles 9

⁶ http://www.itu.int/ITU-D/sis/PwDs/Documents/e-Accessibility__Final_.pdf

⁷ Supra note 2

and 21 state that even private entities need to take accessibility into account when providing products and services.⁸

Role of USOF

The Universal Service Obligation Fund of India (“USOF”) came into being with effect from 1.4.02 with the passing of the Indian Telegraph (Amendment) Act 2003 in December 2003. The Fund which is headed by the USOF Administrator has a mandate of providing access to Telegraph (Telecommunications) services to people in rural and remote areas at reasonable and affordable prices. The Fund has initiated a large number of schemes aimed at promoting public and individual access to telephony and broadband services in rural India⁹.

Ensuring that PwDs in rural India are able to effectively access telecommunications services is an important facet of bridging the digital divide. Given its mandate, USOF appreciates that special initiatives and schemes are required to this end. In fact USOF is aware that addressing the need of individual and public access to telecommunications services by PwDs in rural India will also benefit the significant proportion of rural Indians who are aged or illiterate and need assistive technologies (“ATs”) to enable meaningful ICT access. For example, speech to text ATs would benefit both PwDs and illiterate/semi-literate to communicate and could facilitate them to perform ICT enabled/related jobs. Keeping this in view, it has been decided to launch a scheme of pilot projects for enabling PwDs in rural areas to access ICTs and ICT enabled services.

Scheme Description¹⁰

In keeping with its mandate of Universal service and in recognition of the vital role that ICTs can play in facilitating the daily lives of PwDs, enhancing their well being and productivity and enabling their active participation in society, it has been decided to launch a scheme of Pilot Projects for access to ICT facilities combined with ATs for PwDs in rural India. These projects would address accessibility in terms of hardware, software and human interface. The projects are envisaged to cover persons

⁸ E- accessibility Policy Handbook for Persons With Disabilities, (ITU-G3ICT), compiled & edited by Nirmita Narasimhan

⁹ Please see www.usof.gov.in

¹⁰ For updates on the Scheme, please refer to <http://www.usof.gov.in/usof-cms/disabled.htm>

with various forms of disability including inter alia sensory (including vision and hearing), cognitive and motor disability. In this initiative, USOF will enlist the assistance of various stakeholders including inter alia telecom service providers, telecom equipment manufacturers, mobile and internet/broadband content providers, NGOs, Ministry of Social Justice & Empowerment etc.

Objectives

This scheme seeks to provide PwDs in rural India with meaningful access to telecommunications facilities and through telecommunications facilities, to enable them to access public services, information, educational and employment opportunities. To this end, USOF intends to undertake a variety of pilot projects to facilitate access to ICTs for PwDs. This would take the form of facilitation with regard to provision of appropriate ATs by way of telecommunications infrastructure (mobile phones and computers/servers), assistive software and content (including real time information and data bank of books and other printed matters relevant to PwDs). The projects would also cover the aspect of training of both facilitators and PwDs in the use of ATs. It is hoped that these pilot projects would effectively demonstrate and highlight the utility and positive impact of AT enabled ICT access for PwDs and this would encourage service providers and other stakeholders to take up such initiatives on a larger scale in order to address the needs of PwDs.

Project Categories

The following project categories are envisaged so far. However other project types may also be considered.

- A. Setting up of ICT centres equipped with appropriate ATs for PwDs in educational/rehabilitation/vocational training institutions in rural areas.
- B. Provision of special handsets with/without access to bundled content for PwDs in rural areas.
- C. Public access to ICT facilities with ATs in villages or in/near rural institutions dealing with PwDs.

Benefits/Anticipated Outcomes

Through this initiative it is primarily hoped to enrich the lives of the PwDs who are provided with ICT enabled access to information, skills and employment opportunities under the scheme. The scheme is expected to result in enhancement of self-reliance of PwDs covered and in their integration with and mainstreaming into society. The pilot projects would thus be expected to contribute to the social, political and economic empowerment of PwDs. It is also envisaged that the success of these pilots will effectively demonstrate the utility and benefits of AT enabled ICTs to the Persons with Disabilities and their families in rural India and to institutions/organizations dealing with PwDs, on the demand side, and to service providers, equipment manufacturers and content providers etc, on the supply side. This scheme is expected to provide an impetus to the development of ATs and relevant content in accessible formats in regional languages. Finally, it is expected that the success of these projects will lead to scaling up of such initiatives to the national level under both commercial and CSR agendas of service providers/telecom manufacturers/content providers.

DISCLAIMER

IT IS HEREBY STATED THAT THE VIEWS EXPRESSED IN THIS ARTICLE ARE PURELY THOSE OF THE AUTHOR AND DO NOT IN ANY WAY REFLECT THE GOVERNMENT OF INDIA'S POLICY OR STAND ON THE SUBJECT.

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