Disabling the Disabled Voters: A Critical Analysis of the Exclusion of Persons with Disabilities from India's Voting Demographic

Arman Ali and Diksha Jhingan

Abstract In recent years, the discourse around disability in India has shifted from charitable to rights-oriented approaches. However, equal representation of the disabled population in India remains a far cry from achieving a genuinely inclusive and participatory democracy (Cruz, 2015). The 2011 census conducted in India declared that 2.21% of the country's population is disabled, which roughly amounts to 2.68 crore people. However, only a small fraction of the voters are registered to vote. India demonstrated its early commitment to disability rights and was among the first countries to ratify the Convention on the Rights of Persons with Disabilities in May 2007. It modelled one of the critical legislations, the Rights of Persons with Disabilities Act, 2016 (RPwD Act), in India on the principles of the Convention. At the same time, the Convention and the RPwD Act advocate for including Persons with Disabilities (PwDs) in every sphere, whether social, political, or economic; their representation and participation remain marginal even today. It has been eight years since the passing of the RPwD Act in India. Still, PwDs are not part of the mainstream political discourse, and their voting rights have been made somewhat symbolic instead of participatory. While India has earned the title of the largest participative democracy in the world, it has yet to achieve the status of a truly inclusive democracy. This chapter's central thesis outlines why PwDs in India are not part of the mainstream voting demographic and presents a roadmap for change.

Keywords Persons with Disabilities (PwDs) · Elections · India · Rights of Persons with Disabilities (RPwD) · Inclusive elections · Disability manifesto

A. Ali
National Centre for Promotion of Employment for Disabled People, New Delhi, India
e-mail: arman_ali@ncpedp.org

D. Jhingan (✉)
Jindal Global Law School, O. P. Jindal Global University, Sonipat, Haryana, India
e-mail: diksha.jhingan@jgu.edu.in

While India's disability discourse has transitioned from charity to rights-based approaches, genuine inclusion and participatory democracy for its disabled population remain elusive (Cruz 2015). The 2011 census conducted in India declared that 2.21% of the country's population is disabled, which roughly amounts to 2.68 crore people. However, due to various institutional barriers, only a small fraction of the 2.68 crore Persons with Disabilities (PwDs) cast their votes.

India demonstrated its early commitment to disability rights and was amongst the first countries to ratify the Convention on the Rights of Persons with Disabilities (CRPD) in May 2007. It modelled one of the critical legislations, the Rights of Persons with Disabilities Act, 2016 (RPwD Act), in India on the principles of the Convention. Despite the Convention and the RPwD Act's advocacy for PwD inclusion across social, political, and economic domains, their representation and participation continue to be marginal. It has been eight years since the passing of the RPwD Act in India. Still, PwDs are not part of the demographic and are underrepresented, and voting has been made somewhat symbolic instead of participatory.

While India has earned the title of the largest participatory democracy in the world, it has yet to achieve the status of a truly inclusive democracy. This chapter's central thesis outlines why PwDs in India are not part of the mainstream voting demographic and it presents a roadmap for change.

Introduction: *Nihil de nobis, sine nobis* (Nothing About Us Without Us)

Nothing about Us Without Us is a war cry for the disability movement, that originated at an international disability rights conference in Eastern Europe and was reinstated in South Africa in 1993 (Charlton 1998). According to the World Health Organization (WHO), it is estimated that 1.3 billion people in the world are disabled, yet they continue to remain a significantly disadvantaged minority universally (UN OHCHR 2007). Historically, the disabled population has lived in the shadows of oppression. PwDs and, by extension, their families have not only been discriminated against and degraded but have also been politically and economically disadvantaged due to lack of accessibility (Charlton 1998).

Disability, historically, has been viewed as a personal problem, unlike poverty for instance, which is seen as a societal issue. Traditionally, in India, disability has been understood within a framework of religious and moral actions. For instance, Hinduism (a religion encompassing multifaceted belief systems) has viewed disability as karmic retribution (Hajira 2023; Bhavanamol and Umajyothi 2023). Hindu mythological texts have often portrayed PwDs in two lights, one as powerful yet cunning or as downtrodden and in extreme pain (Jha 2016). These portrayals have been used to justify disability as the karmic retribution that one must pay for a pain-free rebirth (Jha 2016).

On the other hand, Islam does not believe disabilities to be a karmic retribution but does view disability from the perspective of obligation (Bhavanamol and Umajyothi 2023; Miles 1995). Christianity views disability very similar to Hinduism as karmic retribution. However, akin to Hinduism and Islam, it preaches compassionate treatment of persons with disabilities (Bhavanamol and Umajyothi 2023). While these three major religions have advocated for a compassionate view of PwDs, this is not to say that this is all they represent. All three religions have their subsets, and each subset may have its own belief and understanding of disability.

The narrative around disability in the past has shaped our religions. However, in contemporary times, *ableism* has significantly impacted the treatment of PwDs. Wolbring (2008, pp. 252–253) defines ableism as: "a set of beliefs, processes and practices that produce based on abilities one exhibits or values a particular understanding of oneself, one's body and one's relationship with others of humanity, other species and the environment, and includes how one is judged by others". Disability is a diminished state of being (Campbell 2001, p. 44). Ableism, as a result, births two outcomes: one, alienation of disabled people from society, and two, emulation by PwDs of ableist norms (Campbell 2008; Loja et al. 2013). The ableist point of view permeates a gaze that is coloured with curiosity, intrusion, pity, and a right to intrude (Loja et al. 2013; Garland 1997). Bourdieu (1990) categorises the human body as physical capital, accumulating various resources to convert them into economic, social, and cultural capital. Ableism, deeply ingrained in physical and non-physical realms, obstructs the experiences of PwDs (Loja et al. 2013). Inaccessible spaces discourage their social integration, thereby diminishing their social capital. Physical barriers adversely affect professional competence and economic capital, as the ableist perspective often overlooks their abilities, forcing PwDs to struggle for credibility (Loja et al. 2013).[1]

The reach of ableism is not limited to social or economic capital; it extends further to political capital. The ousting of a person with a disability from political participation begins at the grassroots level due to reduced access to education, wealth, and welfare (Evans and Reher 2024). The reduced or, in some cases, lack of access to these primary resources leaves a person with disabilities fighting for their very rudimentary rights in society. In situations where individuals successfully navigate these impediments to political participation, they are frequently perceived as having "overcome their disability." Thus, again, vying to establish their *credibility* (Evans and Reher 2024). It is common for political parties to use disability as a weapon to discredit political candidates (Evans and Reher 2024). The struggles faced by PwDs extend beyond political participation to include their political representation, which requires significant improvement. Ableism significantly hinders the political involvement of PwDs, but the broader issue is society's failure to foster an inclusive environment.

Disability affects everyone, regardless of caste, creed, color, economic status, sex, or gender. However, the Indian state's disability narrative has historically been

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[1] The authors utilised AI to enhance the fluency of this paragraph using the prompt: imp*rove text*.

shaped by charity, medical, and religious models (Mehrotra 2011). Since the 1960s–70s, disability has been recognised as an issue of social development instead of social welfare (Pal 2018). The policy framework around disability in India began to change in the 80s when the Indian government initially recognised disability as a rights-oriented issue (Bhambani 2005). The government in 1995 for the first time introduced the "Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act" in 1995 (Pal 2018). The act aimed to recognise the complexity of disability, eradicate discrimination, provide PwDs with equal opportunities, and increase State responsibility towards the welfare of PwDs. However, the act's intent was not achieved due to certain policy limitations (Pal 2018). Several subsequent legislations were passed to counter the drawbacks of the 1995 legislation; however, the most critical legislation came about in 2016 in the form of the Rights of Persons with Disabilities Act (RPwD Act 2016). The RPwD Act ratified the objectives of CRPD and promised PwDs in India an equitable and accessible environment in all realms, including political participation. However, this objective is far from fulfilled.

India recently concluded one of its most significant general elections, with over 97 crore registered voters ("Nearly 97 crore people" 2024). According to the 2011 census, 2.21% of the population in India is disabled (Office of the Chief Commissioner for Persons with Disabilities, 2021). The authors believe this number is greatly underrepresented; the actual numbers exceed 2.21%. The Election Commission (EC) declared that out of the 2.68 crore PwDs, 88.4 lakhs were registered to vote for the 2024 Lok Sabha Elections (88.4 Lakh People With Disabilities 2024). Article 326[2] of the Indian Constitution, when read in conjunction with the preamble of the RPwD Act, makes it abundantly clear that PwDs are an essential part of the electorate, and their participation has been limited due to various institutional barriers. Although data on the actual number of PwDs who voted is unavailable, the fraction of registered voters once again underscores the limited participation of PwDs. This can be attributed to three main factors: institutional barriers, the lack of mainstream political discourse on disability, and the historical avoidance of political engagement by disability rights organisations until recent years.[3]

Disability Is Political: Promises of the Past and Future

Justice Krishna Iyer, an advocate for the disability movement in the 1980s in India, pushed for a system that recognised PwDs as equal stakeholders of the country (Narayan 2003):

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[2] The elections to the House of the People and to the Legislative Assembly of every State shall be on the basis of adult suffrage; that is to say, every person who is a citizen of India and who is not less than twenty-one years of age on such date as may be fixed in that behalf by or under any law made by the appropriate Legislature and is not otherwise disqualified under this Constitution or any law made by the appropriate Legislature on the ground of nonresidence, unsoundness of mind, crime or corrupt or illegal practice, shall be entitled to be registered as a voter at any such election.

[3] The authors utilised AI to enhance the fluency of this paragraph using the prompt: improve text.

> India must midwife a humane yet pragmatic, goal-oriented, yet viable Disablement *corpus-juris*. We must construct an entitlement system, not an administrative grace.

However, the perception of PwDs continues to be viewed from the lens of beneficiaries rather than citizens (Mehrotra 2011).

India conducted its 18th Lok Sabha elections (2024), one of its largest ever, with voting spanning seven phases from 19 April to 1 June 2024. These elections were reported to be amongst the most critical in India's history for various economic and social reasons. However, for the first time, these elections also witnessed a much more prominent mention of disability in the political agenda of various political parties. The inclusion of disability in the election manifesto raises two critical questions: one, how have political parties looked at disability so far, and two, what does it mean for the future of disability politics in India (Augustine and Abhaydev 2023)? To answer these questions, we examine the election manifestos of three major political parties throughout the three recent Lok Sabha elections (2009 to 2024): Bhartiya Janata Party (BJP), Indian National Congress (INC), and Aam Aadmi Party (AAP). We understand and acknowledge the political diversity of India and the various political parties that represent it. However, we have focused our discussion on the aforementioned political parties because we believe they encompass a broad spectrum of political interests across the nation.

1. Bhartiya Janata Party (Bhartiya Janta Party, 2009, 2014 and 2024) promises made: During the 2009 elections, the BJP promised to introduce measures to reform and rehabilitate the "differently abled" in society. The measures included the right to education and vocational training, disabled-friendly access to public buildings, utilities, and transport, increased economic independence, promoting the adoption of disabled children, and supporting voluntary organisations that care for people with disabilities. The 2014 manifesto primarily focused on the same agenda as the 2009 elections, with a few critical additions. The commitment to enact the RPwD bill, extend e-learning opportunities at a lower cost, conduct a disability census, and create a database of PwDs across India by providing them universal ID for all government benefits and higher tax relief to caregivers of PwDs. The 2024 manifesto witnessed a drastic reduction in the promises made to PwDs. The manifesto focuses on developing affordable assistive devices for *divyangs* (PwDs) and continuing to provide affordable and accessible housing.

2. Indian National Congress (Indian National Congess, 2009a and 2009b) promises made: The INC, in its 2009 manifesto, promised to ensure comprehensive coverage of social security for all persons who are at risk, including people with disabilities. This promise seemed rather vague and unclear. The 2009 and 2014 manifestos focused on health and housing issues broadly, with no particular focus on the specific concerns of PwDs (Bajaj and Jain 2024). However, the 2024 manifesto makes nine commitments which focus on the rights of PwDs (Bajaj and Jain 2024). Increase the pension from ₹200–500 per month to ₹1000, including braille script and sign language as languages, and establish the National Centre of Research and Excellence for Special Education to improve the quality of education imparted to children with special needs and disabilities. Representing PwDs

in local government bodies, strictly enforcing the RPwD Act, 2016, and establishing assisted living and care centres for disabled people. The most significant promise is to expand the ambit of Articles 15 and 16 of the Constitution to outlaw discrimination based on disability and impairment.

3. Aam Aadmi Party (2014–2024) promises made: Compared to its counterparts (BJP and INC), AAP was a reasonably young party to enter politics, but it presented a detailed plan for PwDs in the 2014 manifesto. The section on empowering PwDs begins with acknowledging the need for more official policy to address their conditions. It made five significant promises: expanding the definition of disability based on a social rights-based model, regular data collection on the number and condition of PwDs, and better implementation of the 3% resection. Making infrastructure more accessible; special provision for PwD in education and employment; enhancing policies to reduce disability (e.g. polio, etc.); increased public provision and subsidies for assistive devices; and any bodies making decisions regarding PwDs must have majority PwDs. Meanwhile, for the 2024 elections, AAP did not publish a manifesto, and the party's founder (Arvind Kejriwal) made ten guarantees to the nation if elected (Mishra and Jain 2024). While none of these guarantees mentioned or even remotely focused on the needs of PwDs, one may argue that his guarantee of free education and improved health infrastructure across the country would also include PwDs.

While each of these parties has made lofty promises over a decade and a half to better the conditions of PwDs and integrate them as equal participants, most of these promises still need to be fulfilled. The Department of Empowerment of Persons with Disabilities (DEPwD) 2015 launched the *Accessible India* campaign, which promoted built environment accessibility, transport accessibility, and information and communication system accessibility (DEPwD 2015). However, the 76th National Sample Survey conducted in 2018 highlighted that nearly 67.1% of PwDs continue to face difficulties accessing or using public transport (Annica 2022). Similarly, access to infrastructure continues to be a challenge for many, even with caregivers present.

Increasing literacy in the country has been and continues to be a common agenda for all political parties, nationally and statewide. However, the focus on creating accessible and *inclusive education*[4] for PwDs remains yet another unfulfilled promise. In India, out of the 2.21% (Gupta 2016; Office of the Chief Commissioner for Persons with Disabilities, 2021) PwDs, 1.54% are in the age group of 5–9 years and 1.82% in the age group of 10–19 years (Gupta 2016; Office of the Chief Commissioner for Persons with Disabilities, 2021). According to the 2021–22 UDISE+ data, 14.89 lakh schools in India with approximately 26.52 crore students enrolled (Ministry of Education 2022), while the number of children with disabilities enrolled is 2,240,356 (0.84%) (Ministry of Education 2022). The National Education Policy (NEP 2020) has been hailed as a great measure to overhaul the school systems

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[4] "Inclusive education" means a system of education wherein students with and without disability learn together and the system of teaching and learning is suitably adapted to meet the learning needs of different types of students with disabilities. Ministry of Law and Justice, 2016, Preliminary, Sec. 2 (m), The Rights of Persons with Disability Act. 2016. New Delhi: GOI.

of India and increase accountability on one end of the spectrum. Conversely, *inclusive education* remains a distant dream despite the measures introduced under NEP 2020. The election parties' promise of special schools, increasing accessibility of home-based education, specially trained teachers, lack of accessible school infrastructure, and funding remain unfulfilled (NCPEDP 2021).

The right to healthcare and affordable assistive devices remains scarce for People with Disabilities. Although the government provides subsidised health insurance for PwDs, most insurance only covers small expenses. The health costs of PwDs are attributed to being 65% higher than those of a person without any disabilities (Mitra et al. 2017). According to the WHO Global Report on Assistive Technology (AT), out of the 2.5 billion people who require AT, only 5–15% can acquire it due to its high cost and lack of financing (Anand 2023). Assistance to Disabled Persons for Purchase/Fitting of Aids and Appliances (ADIP) over the years has witnessed fluctuating budgetary allocations (Nath 2023). Access to healthcare facilities remains a challenge for PwDs physically and financially.

Justice Krishan Iyer's advocacy remains only partially fulfilled. While PwDs have made strides in gaining political recognition in India, their issues are still predominantly viewed through a charitable rather than a rights-based perspective, as evidenced by the data presented.

Disabling the Disabled Voters and Candidates

> We alone regard a man who takes no interest in public affairs, not as a harmless, but as a useless character. - Pericles, 431 B.C.

The key features of democracy are (i) the rule of law and (ii) free and fair elections (Kihoto v. Zachillhu and Ors. 1992; Rai 2011). Thus, voting is an integral process in an ever-evolving democracy to ensure that all voices are heard and represented. As the Indian freedom struggle was gaining momentum in the twentieth century, the colonial government introduced universal suffrage for Indian male landowners (Dasgupta 2024). As a result, only 1% of the Indian population was allowed to vote. But post-independence, India embraced the concept of truly participatory citizenship, moving away from selective voting. Thus, the right to vote was guaranteed to *all* Indian citizens.[5] The Election Commission (EC) was tasked with preparing an electoral of a newly partitioned India brimming with displaced migrants (Dasgupta 2024; Shani 2017).

The first-ever elections of an independent India were held from 25 October 1951 to 21 February 1952 (Quraishi 2022). 173,212,343 citizens registered voters, of which 105,950,083 exercised their right to vote (Quraishi 2022). Nevertheless, if one were to look up how many registered voters were PwDs, the data would be

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[5] The right to vote is not absolute. Citizens who have been declared by the law to be **unstable** to vote or barred due to corrupt practices or any illegal act relating to elections are not entitled to vote. A person not a citizen of India cannot be registered in the electoral rolls (Who can vote in India?).

unavailable. While several reasons could be attributed to the unavailability of the data, one of the glaring issues historically was the marginalisation of the disability movement in India in its formative years. India underwent many social revolutions post-independence, demanding social and political change for various marginalised societies, but the revolution around disability only gained recognition and momentum in the 90s (Chander 2016).

On 1 October 2007, India ratified the United Nations Convention on Rights of Persons with Disabilities (UNCRPD/CRPD). Article 29[6] of the Convention, read in conjunction with Article 326 of the Constitution of India, mandates equal participation of PwDs. Even 77 years after independence, voting remains a formidable challenge for people with disabilities (PwDs) in India due to the numerous obstacles they must overcome to cast their votes. This results in a lack of political participation and a significantly underrepresented demographic in the Indian landscape. To better understand their reduced strength of participation, we must ask how and why the Indian political system is failing its citizens with disabilities.

The 2019 Lok Sabha elections began the "Accessible Elections" (Press Information Bureau, 2019) movement for the Election Commission of India (ECI). The ECI, in its press release dated 28 July 2019, stated the various steps it undertook, ranging from the availability of wheelchairs and ramps to braille signage on voting machines and ID cards. However, the data on how many persons with disabilities voted remains unknown. Thus, it is not easy to ascertain whether the objective of creating an inclusive and participatory election environment was achieved. Moreover, merely installing ramps or providing wheelchairs is insufficient to encourage political participation amongst PwDs. The present-day disability movement in India demands much more in the name of inclusivity. It demands actual and genuine participation of PwDs rather than tokenistic attempts. For instance, on the one hand, the EIC pushed for accessible elections, while on the other hand, wheelchair users in Guwahati, Assam, were told their polling booth was on the first floor of a building with no lift (Ali 2019). The need of the hour is no longer merely accessible infrastructure or a small paragraph of an election manifesto dedicated to PwDs but going beyond these to the appointment of PwDs in Parliament.

In September 2021, A. Kavitha, a person with hearing impairment, contested the Panchayat elections from her village in Tamil Nadu (Radhakrishna 2024). While Kavitha's win is considered a watershed moment for disability politics in India, it did not come without its fair share of struggles (Radhakrishna 2024). This was Kavitha's second attempt at contesting; in 2011, her nomination was rejected under section 33(3) of the Tamil Nadu Panchayats Act, 1994, which barred people with hearing or speech impairments from contesting local body elections (Radhakrishna 2024). Another instance was reported from the Panchayat elections in Odisha wherein 24-year-old Minati Barik won the elections in 2017 and became the second-ever person with a disability to win the elections (Odisha rural polls 2017). Even as we move up the political ladder, the participation of PwDs as ministers in the House

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[6] Article 29—Participation in political and public life. https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities#35.

is limited. However, it would be incorrect to imply that there has been a complete absence of MPs with disabilities. Some notable mentions include the Late Sadhan Gupta,[7] Ms Sudha Chandran,[8] the Late Yamuna Prasad Shastri,[9] and the Late Jaipal Reddy.[10]

The recently concluded Lok Sabha (2024) elections are a testament to the community's ongoing struggle to be part of the mainstream political movement. Paralympian Devendra Jhajharia contested the 2024 elections on a BJP ticket from his birthplace, Churu, in Rajasthan. He lost to the opposition by approximately 72,000 votes (Mukul 2024).

Jhajharia's loss, when contrasted with the aforementioned examples, might give the impression that PwDs have adequate representation in Indian politics. Moreover, some might argue that Jhajharia's candidacy depended mainly on his celebrity status, unlike figures such as Jaipal Reddy and Sadhan Gupta, whose political careers were built on their extensive experience as party workers. While this perspective holds some validity, it raises two critical questions: First, is the representation of MPs with disabilities sufficient compared to those without disabilities? Second, does the public perceive candidates with disabilities running for prominent positions without prejudice?[11]

When comparing the number of MPs with disabilities, both past and present, to those without disabilities, the disparity is significant. Thus, while these achievements have been crucial in highlighting the role of PwDs in politics, they do not fully address the community's needs, as disability continues to be a tokenistic gesture in Indian politics. Moreover, PwDs are not seen for their credentials and abilities but are often reduced to their disabilities (Deodhar & Goyal, 2024).

We believe another tier of citizens that are left out or remain unaccounted for are the caregivers who play a significant role in the lives of PwDs. Caregivers are often an afterthought (Hassan 2023) and remain a hidden demographic in an inclusive political environment. In the Indian context, caregivers are usually immediate family members, such as a parent, spouse, partner, or sibling, who care for a person with a disability. When the state's political system does not provide the necessary resources or encouragement for a person with a disability to participate in the electoral process, this lack of support also affects the caregivers and discourages them from voting. This results in excluding not only PwDs but also another set of citizens, significantly impacting the democratic will of the country.

Pericles correctly pointed out that a man who takes no interest in public affairs is useless; however, in the context of PwDs, it is not so much their non-interest in public affairs but rather the lack of platform and reasonable accommodations by the society and state factors at large that continues to contribute towards their considerably declined participation and underrepresentation.

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[7] India's first visually impaired Member Parliament (MP).

[8] A renowned Bharatanatyam dancer who lost her leg in a train accident.

[9] Visually impaired MP.

[10] Former union minister known to have had polio from infancy.

[11] The authors utilised AI to enhance the fluency of this paragraph using the prompt: improve text.

Empowering Voices: Disability Inclusion in Global Politics[12]

Inclusion and accessibility have become important guiding principles for electoral integrity (Rabitsch et al. 2023). Various countries have far greater disabled representation in their state machinery (Ali 2024). For instance, Marta Gabriela Michetti, a wheelchair user, served as the Vice President of Argentina from 2015 to 2019 (Ali 2024). Gregory Wayne Abbott, also a wheelchair user, served as the 48th Governor of Texas from 2002 to 2015, making him the state's longest-serving Governor (Ali 2024). Carla Qualtrough, a blind human rights lawyer and former Paralympian, was appointed Member of Parliament (MP) and Minister of Sport in Canada (Ali 2024). While these instances highlight inclusive representation in politics, they also prompt a broader discussion of how inclusive voting environments are created worldwide.

1. United States of America (US): According to the U.S. Census Bureau, approximately 42.5 million Americans have a disability (Leppert and Schaeffer 2023). To better equip PwDs, the Help America Vote Act (HAVA) was passed in 2002 (Miller and Powell 2016). HAVA was passed to increase federal funding to states to update voting technology and equip polling stations with at least one electronic voting system for PwDs (Ansolabehere and Stewart 2005). In addition to HAVA, the US also offers convenience voting to its citizens (Miller and Powell 2016). There are two types of convenience voting: the first method allows the voter to cast their ballot at a polling station or some other designated place before Election Day (Miller and Powell 2016; Gronke et al. 2008). The second method is mail ballots (Miller and Powell 2016). According to Mann (2014), there are three reforms in this regard. The first is a *no-excuse absentee* ballot, wherein the absentee voter completes. The individual returns the application stating their intent to the election officials before an absentee ballot is sent to them (Miller and Powell 2016). The second is permanent absentee voting, wherein the permanent absentee status removes the requirement of reapplying for absentee status in the next election (Miller and Powell 2016). The third is Vote by Mail (VBM). This system eliminates polling booths; each registered voter is mailed a ballot in advance (Miller and Powell 2016). However, the data collected from the post-election survey in 2022 made the following findings (Schur et al. 2023):

   (a) Voter turnout increased by 1.6 points amongst PwDs from the 2018 elections.
   (b) The increased turnout encompassed people from varied ethnicities, religious groups, ages, and genders.
   (c) 15.8 million citizens with a disability voted.
   (d) While the number of PwDs who voted increased, it is also estimated that 14% of the voters had some difficulty during the voting process.

   The above data highlights that while the US has made some strides in catering to the needs of PwDs, it has yet to create inclusive enfranchisement. HAVA's objective also largely remains unfulfilled due to its lack of accommodation for various

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[12] This title has been created using Open AI, Chat GPT.

other kinds of disability. According to Jones and Simons (2012), the one system requirement under HAVA mainly caters to persons with visual impairments and, as a result, fails to account for most other disabilities. Similarly, mail-in and absentee ballots pose their fair share of problems, such as mail fraud, failure of timely mail processing, language problems, and unsupervised drop boxes, to name a few (Spakovsky 2022).

2. Australia: The Australian electoral process is known to be the most robust and inclusive (Katz 2023; Mackerras and McAllister 1999). It utilises weekend elections, long pre-polling periods, and independent election commissions to ensure broad and genuine enfranchisement in the country (Katz 2023). These measures have instilled the ideology of *compulsory voting* (Brett 2019; Katz 2023) in the country, which propagates the idea that voting is not merely a right but a responsibility.

   According to a 2022 report, around 4.4 million Australians have a disability, which roughly amounts to one in six people (Australian Institute of Health and Welfare 2022). The country has a few procedures in place to assist PwDs with enfranchisement. For example, voters needing assistance in the voting booth may have someone accompany them to mark, fold, and deposit their ballot. Similarly, if a polling booth is inaccessible under §234A of the Commonwealth Electoral Act 1918, the ballot paper can be taken to an accessible location outside for the voter to cast their vote. Another voting mechanism is electronically assisted voting through the telephone. Wherein an individual casts their vote through a telephone operator. Electronically assisted voting has been provided to a limited group of voters, including visually impaired individuals (Katz 2023).

   While theoretically inclusive by design, the voting measures present significant privacy challenges in practice. Each method involves the intervention of a third party who either records the ballot or assists persons with disabilities (PwDs) in voting. This infringes upon the fundamental right of PwDs to maintain the confidentiality of their vote, a privilege universally accorded to all citizens of the country.

3. European Union (EU): As signatories to CRPD, EU member states have taken several measures to provide reasonable accommodations to their citizens with disabilities. Some of these measures are (Rabitsch et al. 2023):

   (a) Finland: Early voting in hospitals, correctional facilities, and residential institutions.
   (b) Countries such as Cyprus, France, Greece, etc. allow persons with disabilities to change or choose their polling stations to be more accessible.
   (c) Five EU members (France, Belgium, Sweden, Poland, and the Netherlands) allow proxy voting.
   (d) Member states such as France, Ireland, Malta, and Sweden have revised their ballot papers, considering the needs of PwDs.
   (e) Various member states offer assistive tools such as tactile templates and stencil sleeves (with braille) to help the visually impaired in the voting booths.

(f) Member states have passed legislation requiring polling booths to comply with accessibility norms, such as ramps, ground-floor locations, and accessible booth design.

(g) Voters with disabilities are provided free assistance per UNCRPD during voting.

(h) Judicial activism has also played a key role in shaping the voting rights of PwDs in various member states. For example, the annulment of a decree that excluded voters with disabilities in France registered 305,000 additional citizens as eligible voters.

The European Union's initiatives to establish a voting environment accessible to PwDs are commendable, yet actualising equitable positive rights remains elusive. Mirroring the situation in Australia, the confidentiality of voters with disabilities is compromised by the reliance on proxy and assistive voting mechanisms. Furthermore, there need to be more regulatory mandates compelling political parties to disseminate information or organise events that cater to the needs of PwDs.

Global North countries often play a pivotal role in the development of international law and human rights objectives. However, in the case of PwDs, the creation and truthful representation of the democratic will of PwDs remain underachieved even in the Global North. Despite the measures adopted by the aforementioned countries in compliance with the objectives of the CRPD, the needs of the disabled community, at large, remain underrepresented, and an equitable voting environment is unachieved.

The Disability Manifesto: A Historic Agenda for and by Indian Citizens with Disabilities

Disability rights organisations in India, such as NCPEDP and National Disability Network (NDN), along with the National Committee on Rights of Persons with Disabilities (NCRPD), joined forces before the 2024 election season to create a manifesto outlining the demands of citizens with disabilities in India. The organisations solicited the views of citizens with disabilities living in India to design a comprehensive political agenda for PwDs. The manifesto makes ten demands from the political parties in India (Ali et al. 2024):

(a) Increase the budgetary allocations to the effect of 5% for disability inclusion and release disability budget statements such as Women's and Children's Budget Statement.

(b) Enhance the health insurance schemes presently offered by the government. The schemes should be inclusive and tailored to the needs of each person with a disability. The coverage should include rehabilitation, orthopaedic, paramedical expenses, and assistive technology devices.

(c) Achieve the objectives of the "Accessible India" campaign by ensuring all public and private infrastructure, services, transport, etc., are made entirely accessible by passing legislation that requires mandatory accessibility compliance for all businesses. Implement and enforce comprehensive, nationwide disability-inclusive guidelines for all cab aggregator services in India. The same should be part of the Motor Vehicles Aggregator Guidelines, 2020.

(d) Improve Social Security measures with a standardised National Social Assistance programme to offer all PwDs a standard pension of Rs. 5000 per month. Ensure priority enrollment of PwDs in social security schemes such as PM Aawas Yojna, MGNREGA, etc.

(e) Amend Article 15(1)[13] of the Constitution of India to include disability. A guarantee of 5% reservation in all levels of government bodies in India to further political inclusion and participation of PwDs. Nomination and appointment of at least one PwD in the Rajya Sabha.

(f) Increase economic participation, clear all backlog vacancies across ministries and departments and fill them by 2027. Create and apply an "Access to Work" scheme supporting reasonable accommodation in small, medium, and large-scale industries. Create short- and long-term courses under the various Entrepreneurship and Skill Development Programme schemes in compliance with the RPwD Act.

(g) Formulate a dedicated National Mission on Climate Change for Vulnerable Communities, including PwDs. Real-time data collection by the District Disaster Management Authority for PwDs in compliance with Section 8 of the RPwD Act.

(h) Increase enrolment and facilitate successful education completion in regular schools for children with disabilities.

(i) Formulate a policy recognising para-athletes on the same platform as athletes without disabilities. Make sports infrastructure accessible and establish a state-of-the-art Centre for Disability Sports in five major districts of India.

(j) Bring about gender parity amongst PwDs by implementing schemes that enhance digital literacy for girls with disabilities upon completing secondary education. To develop and implement policies that promote equal participation, access to health, primary as well as higher education, and protection from violence against women with disabilities.

The manifesto marks a historic moment in the disability rights movement (DRM) in India. It is a critical document highlighting the needs and demands of Indian citizens with disabilities. These demands curate the lived experience of most PwDs and the struggles they face in the country. The 2024 election manifestos released by the three political parties (section 'Disability Is Political: Promises of the Past and Future') discuss some of the demands highlighted in this manifesto, thus highlighting the impact of disability rights organisations in steering the DRM in India towards a rights-based approach.

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[13] Article 15(1): The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth, or any of them.

Conclusion

An estimated 1.3 billion people, or 16% of the global population, experience significant disabilities today, according to the WHO. In India, people with disabilities make up a substantial 2.21% of the population, translating to 26.8 million individuals as per the 2011 census, with numbers rapidly increasing since then. The discourse around disability in India and globally is evolving, yet individuals with disabilities continue to face significant barriers to participating in the electoral process. Apart from physical, social, educational, and economic barriers, the intersectionality of identity with disability significantly influences an individual's voting ideology and their overall willingness to participate in the electoral process. As Tregaskis (2004, 93) states: "perhaps 'identity' is most important when you belong to a minority whose selfhood is constantly challenged by the presence and actions of a majority". An individual's identity is built through their experiences. Negative experiences often arise from social interactions that solely focus on disability, fostering a reductive identity of victimhood centred on sympathy and overshadowing the individual. (Shakespeare 1996). Systemic failures driven by experiences of disability and ableism keep the disabled population marginalised and hinder their ability to mobilise politically (Hahn 1985).

Voting is a fundamental right and the cornerstone of a thriving democracy. The Indian voting demographic develops various political ideologies shaped by individual and group experiences, shaping their identities. For disabled citizens in India, their experiences—and consequently their identities—are often marked by struggles such as lack of accessibility, pity, victimhood, ableism, and inequality. Even when individuals manage to overcome these barriers, their identity is often reduced to that of *overcoming their disability*[14] (Hahn 1985). The Indian political movement often fails to recognise this class of citizens beyond their disabilities, overlooking their multiple identities related to gender, caste, class, etc. These intersecting identities shape their political ideologies and influence their willingness to participate in the electoral process.[15] The recent Lok Sabha elections have catapulted disability issues into the mainstream discourse. However, India still faces a significant undertaking in recognising individual identities and ideologies beyond disability to create an equitable, all-encompassing, and accessible democratic society.

Citizens with disabilities, in collaboration with disability rights organisations, must advocate for increased accountability from political parties in India. To foster an inclusive democracy and society, these groups must push for the comprehensive acceptance of the Disability Manifesto (section 'The Disability Manifesto: A Historic Agenda for and by Indian Citizens with Disabilities') by all political parties. This acceptance would mark a crucial first step in integrating the needs and rights of PwDs into the nation's political and social fabric.

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[14] The authors utilised AI to enhance the fluency of this paragraph using the prompt: *improve text*.

[15] The authors utilised AI to enhance the fluency of this paragraph using the prompt: *improve text*.

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Arman Ali is the Executive Director of the National Centre for Promotion of Employment for Disabled People (NCPEDP), India's premier cross-disability advocacy organisation. With a strong commitment to creating a more inclusive and accessible society, Arman leads initiatives championing the rights and opportunities of people with disabilities. His research interests focus on disability policy, striving to influence change at the national level.

Diksha Jhingan is an Assistant Professor of law at O.P. Jindal Global University, where she teaches legal methods and history to first-year law students. Her diverse research interests span AI and law, disability rights, and animal rights, reflecting her commitment to exploring and advancing these crucial areas.

Information for Decision-Making: Nuancing Layered Disability Needs Through Geotagging

Srilatha Juvva , **Prateek Vashishtha, Muthu Kumaran, and Sudarshan Rodriguez**

Abstract The availability and accessibility of knowledge that suits the needs of people with disabilities is critical to respect and include people with disabilities. In today's digitalised world, nuanced and layered information is created and enacted through the click of a button to lead routine lives and make decisions. This calls for an interrogation of how inclusion is fostered through the accommodation of differences and respect for diversity, particularly in the provision of information. Accessible technology and geospatial information design enable all people, including those with disabilities, to make informed decisions regarding service access and utilization. This chapter argues for the centrality of information and knowledge to promote early intervention and rehabilitation. Visibilising nuances of layered information and their formats of availability influence the choices made by persons with disabilities. Using the findings of a research in the National Capital Region of Delhi, the data uncovers significant gaps in service provision and utilisation. It underscores clear, comprehensive, and dynamic information about disability services, procedural details, and contact information thus making the invisible visible. Doing so will promote inclusion and ensure protection of fundamental rights for all. This will, in turn, expand the functional universe of the disabled, and foster dignity and respect for all.

Keywords Information · Geotagging · Visible and invisible · Transparency

S. Juvva (✉)
School of Social Work, Centre for Equity and Justice for Children and Families, Tata Institute of Social Sciences, Mumbai, India
e-mail: juvvas@tiss.ac.in

P. Vashishtha
Ghaziabad, India

M. Kumaran
Panchkula, India
e-mail: muthu@accessdev.org

S. Rodriguez
RTL Works, Delhi, India
e-mail: sudarshan.rodriguez@rtlworks.com