



By ALBERTINA ALMEIDA

## Quo Vadis Commissioner for Disabilities: Yet Another Commission being Smothered!

It seems that India enacts laws to set up Commissions, or constitutes Commissions for human rights, or for specific sections of society, only to tick off the same on the obligation list under International UN Conventions. Because the Commissions are smothered from the word go. No proper office space, no appropriate adequate staff, no appropriate and clear budget, no certainty for staff, no space for autonomy, and a deliberately-feigned ignorance of the kind of work Commissions are expected to do. The Disabilities Commission is the latest of Commissions to be targeted in this smothering game and it has in fact led to the resignation of the Commissioner for Disabilities.

The Disabilities Commission was first provided an office on the first floor, that too of an old Portuguese building with high steps (for a Disabilities Commission!), and only moved later to the ground floor of the same building, and then to Porvorim, and now to Matanhy Saldanha Complex at Margao. No doubt this location is convenient to those south of Margao, but then imagine someone from Pernem having to access this office. It is high time Commissions operate from each district or from the capital town or a central location. The Commissioner is now authorized a small cabin space in Panjim for the purpose of meetings and hearings for complaints of discrimination in North Goa, for two days in a week, but, it seems like a token because this space is woefully inadequate.

The lethargy or deliberate omission in providing an office space is not the only spoke in the wheel of an effective Disabilities Commission. The location is never duly publicized. So, apart from the issues of physical access to the Disabilities Commission, there is the issue of access to information about the very existence of the Commission, and about its location. Presently, the Commissioner's office comprises of a cabin space, which is not even sufficient to accommodate the Commissioner, a junior stenographer, and a driver. That, by the way, is the only staff that the Commissioner has been given, to carry out her functions throughout Goa.

Typically then, representations follow. In the instance of the Disabilities Commissioner also, representations were made about the access for disabled persons to a Commission meant for them, and about infrastructure and personnel required for the Commissioner to deliver. As is

usually the case, here too, the representations to the concerned authorities are initially met with complete silence. Thereafter, some crumbs of correspondence and facilities follow. After some time, a vehicle, which is actually a dire need, is allotted, in this case, by requisitioning it from the Goa Tourism Development Corporation. A good two and a half years later, some clarity follows: The vehicle shall be available on all working week days from Monday to Friday. But the Commissioner has to attend meetings or work related functions on Saturdays, Sundays and holidays, may also be inspecting schools for special children which are open on Saturdays; also, the preferred day for visiting residential schools and homes for special people is Sundays and Holidays. But this requirement of vehicle on Saturdays, Sundays and holidays falls on deaf ears. The Commissioner has been forced to limit her work for want of vehicle.

The Commissioner's functions according to the Rights of Persons with Disabilities Act, 2016, (RPWDA) include: identification of provisions of any law or policy, programme and procedures, which are contrary to their rights guaranteed under the RPWDA, and to recommend corrective steps; inquire into grievances of deprivation of rights of PWDs, and take up the matter with appropriate authorities for corrective action; see how effective the laws are in protecting the rights of PWDs; assess the obstacles in enjoyment of their rights and recommend appropriate remedial measures; undertake and promote research in the field; promote awareness of the rights of PWDs and the safeguards available for their protection; monitor implementation of the provisions of the RPWDA, and schemes and programmes meant for PWDs; monitor utilisation of funds disbursed by the State Government for the benefits of PWDs.

Obviously, if the Commissioner has to discharge these functions effectively, she would require support staff for the work, and possibilities of engaging professional consultants as well as data entry operators and secretarial staff attached to the person of the Commissioner, apart from the office of the Commissioner. For instance, as part of the work, there is need to monitor maintenance of rosters for effective implementation of reservations for the disabled. But limited budgets for the social sector mean that even for the roster maintenance and verification at the level of the Directorate of Social Welfare, the staff is inadequate. At the last count, the rosters of only 42 out of 151 organisations appear to have been verified. Ironically, a visually impaired staff member who had been engaged had to be relieved because he was not provided with assistive technology to be able to do his job. If this is the state of the Commission for Disabilities which is itself supposed to prevent discrimination

against disabled people, how will the rest of the state be?



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If awareness programmes or deliberative workshops or seminars are to be organized, there is a lot of footwork involved, and obviously that cannot be handled by the Commissioner helped by only a junior stenographer and a driver. Along with this is the problem now that the persons recruited as junior stenographer and driver are having to do work far beyond their work profile. This has put the Commissioner, who was kept in the dark about the recruitment files, in a precarious position.

There has belatedly been a dispatch, after repeated communications by the Commissioner, and that too one that states that assistance can be sought from staff doing work in addition to their existing duties with the District Welfare Officer in South Goa. But something like this obviously sets in motion a dynamics of its own, where the staff are overburdened and will only then be driven to find a soft target in the Commissioner.

Will Goa step up to ensure that the Commissions have the appropriate support that they need? Will Goa step up to ensure that the needs and aspirations of the 33012 disabled persons (according to the Census) of Goa will be met? Oops, sorry, maybe it is 45000 as per the claim of the NGOs, or maybe just 19000 if the outreach of the Social Welfare Department is anything to go by? Even that needs investigation!

(First published in *O Herald*, dt: 17 May, 2018)



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