



सत्यमेव जयते

## न्यायालय मुख्य आयुक्त दिव्यांगजन

**COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)**

दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment

भारत सरकार/Government of India

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**Case No: 13205/1102/2023**

**In the matter of –**

Mr. Rahul Bajaj

... Complainant

**Versus**

The Director, Practo Technologies Pvt. Ltd

Email: sid@practo.com

... Respondent No.1

DGHS, Ministry of Health and Family Welfare

Email: rathi.bala@gov.in

... Respondent No.2

The Secretary, Ministry of Information & Broadcasting

Email: secy.inb@nic.in

... Respondent No.3

### 1. Hearing:

1.1 A hearing in hybrid mode (online/offline) was conducted on 22.07.2025. The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties /Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Mr. Rahul Bajaj	Complainant	Online
2.	Mr. Jagannath Nanda, Advocate, Practo Technologies Pvt. Ltd.	Respondent No. 1	Online

3.	Ms. Rupali Roy, ADG, Director General Health Services	Respondent No. 2	Online
4.	Mr. M. L Meena, Additional Advisor, I&B	Respondent No. 3	Online
5	Mr. Pawan Kumar, Senior Technical Director, I&B	Respondent No. 3	Online

## 2. Record of Proceedings

2.1 The hearing commenced in the absence of Respondent No. 1, despite a reasonable wait for their online appearance. The Complainant briefed the Court on the background, recalling that during the last hearing on 18.03.2024, the Chief Commissioner had directed Respondent No. 1 to conduct an access audit of its portal/website on iOS and Android platforms, adhering to an internationally recognised protocol, and to submit the report. Respondent No. 1 submitted the audit report on 24.12.2024 and a written response on 21.07.2025, asserting that although the audit was completed per the Court's directions, the accessibility provisions of the RPwD Act are collaborative and do not mandate automatic compliance, unlike other statutes such as Labour Laws—a position disputed by the Complainant.

2.2 The Complainant pointed out that the Respondent's own report highlights critical issues. For instance, on the iOS platform, issues are categorised as P-0 (Critical), P-1 (Major), and P-2 (Minor). There are critical issues on 7 out of 9 screens; the home and search screens each have six issues, and the doctor screen has four. In total, the home screen accounts for 27 issues.

2.3 The Complainant, who is completely blind, recounted his experience of using the platform on that very day, before the hearing, stating he was unable to proceed beyond the OTP entry screen.

2.4 The Complainant requested that Respondent No. 1 be directed to address all issues identified in the audit report within a prescribed

timeline. He further emphasised that the report is preliminary and requested confirmation that all screens were audited, not just select pages.

2.5 The representative of Respondent No. 3 (Ministry of I & B) submitted that two of their websites (BECIL and SRFTI) have been audited, and the remaining sites will undergo audit by September 2025.

2.6 Respondent No. 2 (DGHS, Ministry of Health & FW) submitted that they have forwarded their ATR and instructed Respondent No. 1 to display a clear message on inaccessible platforms, indicating ongoing efforts to improve accessibility until the Practo platforms become compliant.

2.7 The Complainant clarified that DGHS was made a Respondent to ensure that Section 42 of the RPwD Act is enforced by Practo Technologies, and noted the absence of evidence showing any regulatory action taken against Respondent No. 1 for persistent statutory violations.

2.8 The learned Counsel for Practo, having joined the hearing, submitted that a written submission was filed that morning and shared with the Complainant. The Counsel stated that Practo is a relatively new platform striving to comply with the Court's non-adversarial recommendations. The audit is complete, and 70% of the required work has been accomplished. He noted that Practo's engineers are not visually impaired and require guidance to address the issues.

2.9 The Complainant countered that Practo is not a new application, having existed for eight years. The Counsel replied that mandatory compliance only arose after a Supreme Court judgment by Justice Chandrachud three to four years ago, and that apps and websites are constantly evolving. The Counsel reiterated the need for guidance from the Complainant and highlighted the cooperative approach, including the creation of a WhatsApp group for direct communication. He assured the

Court that all suggestions from the Complainant would be implemented.

2.10 The Complainant maintained that the audit report clearly identifies the issues that must be resolved, and insisted that Respondent No. 1 appoint or empanel an accessibility auditor to review all app updates before release. He stressed that statutory compliance cannot be the Complainant's responsibility. Regarding the Ministry of I & B seeking additional time, the Complainant asserted that their role is not just to submit audit reports, but to clarify how apps and websites under their purview are approved without accessibility checks, given their essential regulatory role along with MeitY.

2.11 The Court observed that while the immediate outcome benefits the Complainant personally, it also sets a precedent for other visually impaired individuals seeking health solutions. The Court commended the Complainant's efforts. The Court found Respondent No. 1's stance—that accessibility is not mandatory or requires Complainant guidance—demonstrates a lack of awareness and sensitivity toward the RPwD Act, 2016 and disability rights. Sections 40 and 42 of the RPwD Act, together with IS 17802 of BIS and Rule 15(1) of the RPwD Rules, 2017, are mandatory and self-effectuating.

2.12 The Court emphasised that the Audit Report is a starting point, not a conclusion. The platforms in question remain inaccessible. The Court accepted the Complainant's argument that the responsibility for accessibility lies with the platform operators. To facilitate compliance, the Court agreed to share the list of access auditors empanelled with the Government of India, allowing Respondent No. 1 to choose from them or any other auditor certified by IAAP or an equivalent international agency. The list is available at

<https://depwd.gov.in/en/list-of-empanelled-web-accessibility-auditors-with-the-department-of-empowerment-of-persons-with-disabilities/>.

2.13 The Court noted that the responses of Respondents No. 2 and 3 were wholly non-committal.

2.14 The Court granted 45 days to address the audit issues and submit a fresh report, warning that failure to comply may result in penalties under the Act. Respondents No. 2 and 3 are also directed to submit ATRs on steps taken to ensure that all entities under their regulatory authority are accessible to visually and hearing-impaired persons.

2.15 This is issued with the approval of the Commissioner for Persons with Disabilities.

**(P. P. Ambashta)**  
Dy. Chief Commissioner