



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. CCPD/15519 & 15530/1101/2024 &

All such cases tagged therewith

In the matter of —

Suo-motu cognisance regarding the inaccessibility of websites, mobile applications and other digital platforms of ministries/departments of the Government of India and private establishments in the country

Versus

The Secretaries, Ministries/Departments,
And Directors/Heads/CEOs of Government/Private,
Establishments as enlisted in **Annexure-I** ... Respondents

Hearing (V):

1.1 The 5th hearing was conducted on **11.07.2025 in hybrid mode**. The following representatives were present during the hearing:

Sl. No.	Name of the parties / Representatives (Sh./Smt./Ms.)	Mode
1.	Krishna Kumar Sharma, DLC, Legislative Department, Ministry of Law and Justice	Online
2.	Alka Sharma, Ministry of Agriculture and Farmers' Welfare	Online
3.	Adv Saurabh Kumar, Xtelify Limited	Online
4.	Shashank Mishra, Shivika Matttoo (Advocates) Inshorts Pvt. Ltd.	Online
5.	Babu Lal Meena, Under Secretary, Ministry of Labour and Employment	Online
6.	Sita Narayanan, US, M/o Steel	Online
7.	Surojit Ghosh, Deputy Secretary, Dept. of Drinking Water &	Online

Sanitation

8. Ajit Saha, Ministry of Ayush	Online
9. Medha, RedBus India Private Limited	Online
10. Nikhil Bhargav, S.O., Department of Investment and Public Asset Management	Online
11. Mayank Tyagi, Ministry of Road Transport and Highways	Online
12. Adv. Abhishek K. Singh and Saurabh Kumar LinkedIn Technology Information Pvt. Ltd.	Online
13. Representative from the Ministry of Earth Sciences	Online
14. Amit singh, Tata power Ltd.	Online
15. Tashi Phuntsog, Senior Legal Associate, MakeMyTrip India Pvt. Ltd. (Golbibo)	Online
16. Jagdish Swaroop, Legal Consultant, Department of Fertilisers	Online
17. Adv. Rishabh S. Mishra, Ease My Trip Pvt. Ltd.	Online
18. Monika Bansal, IE Online Media Services Private Limited	Online
19. Advocate Sahil, Indian Express Private Limited	Online
20. Advocate Pratyus Sarangi, for HDFC Securities Ltd.	Online
21. Ms Mehr, Sporta Technologies Private Limited	Online
22. Advocate Vikrant Goyal, for Standardisation Testing & Quality Certification Directorate	Online
23. Advocate Rishabh Rao, for Amazon Seller Services Private Limited; and for Nykaa E-Retail Private Limited	Online
24. Advocate Ashish Raghuvanshi, for National Stock Exchange	Online
25. Jagdish, Department of Fertilizers, Ministry of Chemicals and Fertilizers	Online
26. Saurabh Kumar, Xtelify Limited	Online

RECORD OF PROCEEDINGS

At the outset, the Chief Commissioner for persons with disabilities acknowledged and appreciated the forward movement of approximately 80% of respondents in enhancing digital accessibility. However, the Court expressed concern over continued delays and non-compliance by several government departments and private sector entities, especially considering the statutory obligations under the Rights of Persons with Disabilities Act, 2016, followed by the Rights of Persons with Disabilities Rules, 2017.

2. The Court noted that, despite almost a year into the present litigation, and time-bound mandatory provisions of the Act, some organisations still seek extensions for compliance. The Court reiterated that accessibility is not optional but a legal requirement. The major areas of concern continue to be:-

- (a) Use of inaccessible CAPTCHA
- (b) Absence of alternative text for images

- (c) Videos without captions
- (d) Inaccessible PDFs
- (e) Poor colour contrast and keyboard/tab navigation issues

3. The Court invited the respondents to present their case and update the Court on action taken by them since the last hearing. The submissions of the parties are summarised as under:-

(a) **LinkedIn India Pvt. Ltd.:** The representative from LinkedIn India said that LinkedIn India did not own, control or manage the services of the LinkedIn platform in India and, therefore, could not be saddled with a fine for an alleged non-compliance of the LinkedIn platform. The correct entity, i.e., LinkedIn Corporation, conducts annual accessibility audits for its products and the Accessibility Conformance Reports are made publicly available that comply with IS 17802 (Part 1) and IS 17802 (Part 2), as well as this Court's directions to conduct a digital accessibility audit. With regard to getting the website audited by an IAAP-certified auditor, the representative said that LinkedIn Corporation's accessibility audits are conducted by highly qualified professionals who hold the Trusted Tester certification established by the United States Department of Homeland Security ("DHS"). It certifies that an individual possesses the knowledge to use the Section 508 Conformance test process for Web to test websites and web applications for conformance to the Revised Section 508 Standards (including WCAG 2.0 Levels A and AA). Additionally, Section 508 standards are harmonised with the standards issued by the European Commission and the WCAG 2.0 standards, both of which are extensively cited, referenced and incorporated in IS 17802 (Part 1) and IS 17802 (Part 2). Therefore, LinkedIn should be removed from the list of non-compliant entities in Annexure 1, and the penalty imposed on the LinkedIn platform is liable to be revoked.

(b) **IE Online Media Services Pvt. Ltd.:** The representative, Ms Monika Bansal, said that they have already filed a reply dated 11.07.2025, and also appointed an IAAP-certified professional to audit the website. However, the representative did not mention the name of the auditor in their written reply, nor did they mention the same during the hearing.

(c) **The Indian Express Private Ltd.:** Advocate Sahil echoed Ms Monika and added that the auditor has already submitted its interim audit report. Further, all three issues (a) Providing a button to set the read aloud feature; (b) Providing image descriptions; and (c) Not reflecting the bookmarking in an article in the website, as raised by the Complainant, Advocate Rahul Bajaj, would certainly be addressed/rectified during the audit.

(d) **HDFC Securities Ltd.:** Advocate Pratyus Sarangi said that the Company is operating in the field of the stock market and is not in the live mechanism. He requested an extension of time to appoint an IAAP-certified access auditor and also sought a waiver of the penalty already deposited under protest.

Observation: It was ascertained from the record of the case that HDFC Securities Ltd. has not submitted any evidence in support of its claim of depositing the fine amount. The same is also not reflected in the Court's records. Further, in its written reply dated 10.07.2025, the company failed to mention the deposition of the penalty amount.

(e) **Ibibo Group Private Limited [Goibibo & Red Bus]:** The representative submitted that the final audit report showing an almost 90% compliance, on both the web and the Android, was sent to the Court. But their name figured in the list of companies that did not submit the audit report or did not appoint the auditor.

Observation: The weblink to the audit report provided by the company is not opening. The company has been requested to forward a copy of the audit report in an OCR-enabled PDF.

(f) **Sporta Technologies Private Ltd.:** Ms Mehr, the representative, submitted that they have a similar problem to the one with Goibibo.

Observation: From perusal of the records, it was observed that the company appointed auditors in February 2025, but the Audit Report is awaited.

(g) **Standardisation Testing & Quality Certification:** The Counsel submitted that the STQC has appointed an Access Auditor, and the audit report would be submitted on Monday, i.e. 14.07.2025.

Observation: Neither any document suggesting that an access auditor has been appointed, nor any audit report undertaken by the learned counsel, has been received from STQC.

(h) **Amazon Seller Services Private Ltd.:** Advocate Rishabh Rao said that Access Auditor has been appointed, and the audit report is awaited within two weeks. He prayed that their names appearing in the list of establishments that neither submitted an audit report nor appointed an IAAP-certified auditor be removed.

(j) **Nykaa E-Retail Private Ltd.:** The Counsel submitted that Access Auditor was appointed in August 2024, and the audit report was also submitted by them on 13.01.2025. Their name, however, appears in the wrong list, namely Establishments that appointed an access auditor but did not submit the audit report.

Observation: The Court Records do not show any reply or audit report received from the company on 13.01.2025.

(k) **National Stock Exchange:** The Counsel submitted that they had appointed an auditor for this particular purpose on 05.03.2024, and the audit

report is dated 09.07.2024. As such, the compliance with the law and the direction of the CCPD was made before this proceeding was initiated. He further submitted that the audit report could not be sent to the Court as the RoP dated 17.02.2025 was received at the wrong email address and that they came to know of the Court's direction only when the RoP dated 20.06.2025 was received by them. The NSE requested a waiver of the penalty imposed.

Observation: From the records of this Court, it was observed that there is still no documentary evidence of the appointment of an IAAP-certified access auditor or any access audit report from an IAAP-certified access auditor.

(l) **Department of Fertilizers:** The representative submitted that they have initiated the process to appoint an Access Auditor, and the process is at the final stage. He further said that the Department has also deposited a fine of ₹50,000/-, but under protest, and requested a waiver for the same.

(m) **Xtelify Ltd.:** The representative said that theirs is a subsidiary company of Bharti Airtel Ltd. Xtelify Ltd. owns the Airtel Xtreme Box and Airtel Tanks App. A report dated 11.03.2025 in respect of both websites has already been submitted. It has already been said that both websites are completely compliant. The representative requested that the same be taken on record.

Observation: Record confirms submission of audit report.

4 Observations & Recommendations:

4.1 Upon hearing the parties and going through the records of this proceeding, the Court noted with alarm that critical agencies like the NIC and the STQC remain uncertified for accessibility, and continue to issue unreliable compliance certificates. The STQC was fined ₹50,000 for issuing such compliance certificates. The Court observed that the STQC has caused damage in the field of digital accessibility. They have a monopoly on certifying government websites as GIGW compliant, which includes WCAG 2.0 level compliance, and they have empanelled a few vendors. Government departments pay heavily to these vendors of STQC to get the certificates. But, ironically, the STQC itself is non-compliant. It is not clear whether these vendors have testers with any accessibility testing certification. Based on their report, the STQC is issuing certificates, which, in turn, facilitate non-compliant websites being hosted on NIC servers and getting served to the public. So, the responsibility of STQC is extreme. The STQC has not informed this Court of their action plan to mitigate this risk, including any training that they are conducting for their outsourced manpower working on accessibility. The Court was of the view that any further non-conformance and non-cooperation of the STQC will constrain this Court to contemplate imposing ₹10,000 fines per wrong certification and a higher level of fine going forward.

4.2 The Court also pointed out that India has a limited pool of 400–500 IAAP-certified professionals, most of whom serve international clients. This Court was constrained to rely on IAAP-certified auditors as there is no equivalent domestic protocol for certification of digital platforms. In the absence of such protocols from government regulators, this Court encourages the development of a certification framework matching global standards by domestic actors from the industry. It is of the view that private domestic companies may develop the same on global standards.

4.3 To address the situation, the Court recommended that establishments that have in-house manpower with IAAP certification may use them to audit their digital platforms and submit their reports. The establishment will be well served to identify eligible employees to be trained for this purpose, which will help them in the long run, as digital accessibility will have to be monitored constantly.

4.4 The Court further recommended that MeitY must come out with a mandatory accessibility training programme for developers hired through platforms like GeM or empanelled by NIC, CDAC, or DEPwD.

4.5 The Court emphasised that the objective of this proceeding is to ensure compliance with the long-pending statutory mandate and not the collection of fines. All digital products and services must be accessible to persons with visual, hearing, locomotor, and other disabilities. However, this Court will not accept further neglect of this duty and will not hesitate to impose higher fines progressively, besides making a request to MeitY for blocking the non-compliant digital platforms in India.

4.6 With regard to the requests made by several parties for waiver of fines imposed on them, the Court concluded that all such requests can be considered subject to full compliance with the statutory mandate, i.e., submission of a satisfactory ATR on the Audit Report of the IAAP- Certified professional **within four weeks from the date of this order, i.e. by 12th September 2025**. Such a request, however, can be entertained only in respect of an establishment that had appointed an IAAP-certified auditor on or before 17.02.2025.

4.7 The Court expressed its displeasure over the fact that many establishments have not yet deposited the fine. Some have not submitted any response as well. It decided to invoke an additional penal provision of Section 93 of the RPwD Act, 2016, in respect of all such establishments, in addition to recommending initiating a departmental inquiry against the delinquent officials wherever appropriate.

4.8 MEITY & NIC are directed to coordinate with CCPD and DEPwD to launch robust, independent verification mechanisms for accessibility **within four weeks from the date of this order, i.e. by 12th September 2025**. Tools currently in use that flag only partial issues (e.g., Web Compliance Tool) must carry clear disclaimers.

4.9 The Court concluded that, while filing tenders for the selection of auditors and for accessibility-compliant digital upgradation, any irregularities in the quoted

amounts for providing these services must be handled with utmost care, and any malpractice in this will not be tolerated. If the quoted cost is too high, it will be dealt with seriously. Conversely, if the cost is too low, the quality of service shall be constantly monitored by the hiring establishment. Extreme quotations shall be reported to the DEPwD, who will verify the amount by cross-checking the certificates provided.

4.10 The Court addressed the requests made by the parties during the hearing by classifying them in the following manner:

- (a) Fully Compliant / Submitted Final Audit: LinkedIn Corporation, NSE, Xtelify Ltd. etc. **-No fines imposed at this stage.**
- (b) Audit in Progress / Auditor Appointed: Tata Power Delhi, Amazon, Nykaa, Indian Express- **Fines deferred. Final compliance certificate to be submitted by 12th September 2025.**
- (c) Entities Seeking Extension or Paid Fines in Protest: HDFC Securities, Department of Fertilizers - **Extension requests noted. Fines deposited under protest may be reconsidered post-full compliance.**
- (d) Non-Compliant/No Submissions or Presence: **Fines to be imposed and names to be forwarded to MEITY for further action including takedown/blocking.**

4.11. This interim order is issued to ensure fair notice and an opportunity for rectification. Final directions will be issued post-review of submissions due by 12 September 2025, including on the requests of the parties as reflected in para 3 above.

5. This is issued with the approval of the Chief Commissioner for persons with disabilities.

(Praveen Prakash Ambashta)
Dy. Chief Commissioner