



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. 13205/1102/2022

In the matter of –

Complainant

Shri Rahul Bajaj

Versus

Respondent(s)

1. The Director, Practo Technologies Pvt. Ltd. [PTPL]
2. The Directorate General of Health Service (DGHS), Ministry of Health and Family Welfare.
3. The Secretary, Ministry of Information & Broadcasting,

1. Gist of the Complaint:

1.1 The Complainant, a person with 100% visual impairment, filed a complaint dated 22.03.2022 alleging that the Practo website, mobile application, and tablet application do not conform to the prescribed accessibility standards and are inaccessible to persons with visual impairments. He submitted that the iOS application contains significant accessibility barriers, preventing effective use with screen-reading software and thereby denying equal access to its services.

1.2 The Complainant further stated that the application's home screen and subsequent pages are largely unlabeled or improperly labeled, making navigation extremely difficult. He submitted that search results and information relating to doctors and laboratory tests are presented in an unstructured manner, rendering them inaccessible through screen readers. Additionally, he alleged that the application crashes intermittently, further affecting usability. According to the

Complainant, these cumulative barriers make accessing the application as difficult as requiring a sighted person to use an application in an unfamiliar language.

1.3 The complainant alleged that Respondent No.1 did not comply with the provisions of Section 46 of the Rights of Persons with Disabilities Act, 2016 [RPwD Act, 2016] even after the Act brought into force on April 19, 2017 and that the Rules were notified on June 15, 2017; and the expiry of the time period for compliance. The complainant has stated to have addressed series of representations to Respondent No.1, urging it to remedy these accessibility barriers, but no avail.

2. Reply filed by the Respondents:

2.1 Respondent No.1 filed a reply dated 14.06.2022 and denied the allegations made by the complainant. However, the Respondent Practo Technologies Private Limited expressed willingness to make its technology platform accessible for people with disabilities, which is in consonance with their company's objective i.e. making the platform accessible for everyone. To achieve the above, the Respondent No.1 prayed to grant a time period of nine (9) months for making its platform accessible to persons with low vision/ blindness.

2.2 The DGHS vide reply dated 20.05.2022 submitted that Ministry of Information & Broadcasting would be the appropriate body to take action in this regard.

3. Hearing (1): The case was heard on 19.07.2022 in the hybrid mode:

Proceedings of the Hearing:

3.1 The Court observed that Sections 40 and 46 of the Rights of Persons with Disabilities Act, 2016, read with Rule 15 of the RPwD Rules, 2017, cast a mandatory obligation on both Government and private establishments to ensure accessibility of their websites, mobile applications and other Information and Communication Technology (ICT) platforms. The plea of Respondent No. 1 that these provisions are inapplicable to private establishments is untenable.

3.2 The Court further held that sufficient accessibility standards already exist, including the Guidelines for Indian Government Websites (GIGW) and BIS Standard IS 17801, and Respondent No. 1 cannot avoid its statutory obligations on the ground that no guidelines have been prescribed.

3.3 The Court also observed that under Rule 15(2) of the RPwD Rules, 2017, the concerned Ministry/Department is responsible for ensuring compliance with accessibility standards. Since Respondent No. 1 provides health-related digital

services, Respondent No. 2, being the concerned authority in the health sector, is duty-bound to monitor and ensure compliance with the accessibility requirements.

3.4 Accordingly, the Court recommended that Respondent No. 1 shall make its mobile application and all other ICT platforms fully accessible by complying with the applicable statutory provisions and accessibility standards within six months, and in any case not later than nine months, from the date of receipt of this Order. Respondent No. 2 shall ensure compliance with these directions in terms of Rule 15(2) of the RPwD Rules, 2017.

3.5 Considering the wider public importance of digital accessibility, the Court, in exercise of its powers under Section 75(1)(h) of the RPwD Act, 2016, decided to monitor compliance with Sections 40 and 46 of the RPwD Act, 2016 and Rule 15 of the RPwD Rules, 2017 by listing the matter for further review.

4. Hearing (2): The case was heard on 20.09.2022 through Video Conferencing:

4.1 During the hearing conducted on 19.07.2022, the Respondent No.1 was recommended to make its App accessible and the Respondent No.2 was recommended to ensure compliance of recommendations given to Respondent No.2. Thereafter, no new communication was received from either of the parties. The case was listed for hearing to monitor the process of making the App accessible within 9 months.

4.2 During online hearing the Respondent informed this Court that internal audit of its App was conducted, whereby it was noticed that only 30% accessible work had to be done in order to make the App 100% accessible for Divyangjan of Visual Impairment category. The Complainant refuted the claim and submitted that no report of internal audit was shared with the Complainant and if proper audit would be conducted there were possibilities that more issues would be identified.

4.3 Considering the impact and importance of the issue of accessibility this Court decided in the last hearing to monitor exercise to making the App accessible for blind Divyangjan. This Court by using its power under section 77 read with functions of this Court laid down under section 75 (1) (h), recommended the Respondent No.1 to prepare a road map latest by 31.10.2022, in which the respondent would clearly mention the steps which were necessary to be taken to make the App accessible for Divyangjan with Visual Impairment. The Respondent No.1 should share this road map with the Complainant as well as Respondent No.2 before 05.11.2022. Thereafter, this Court would conduct hearing in the present complaint.

5. Hearing (3): The case was heard online through Video Conferencing on 07.02.2023.

5.1 During the hearing, the Complainant informed that a meeting was conducted on 23.11.2022 and roadmap was shared. The issue relating to the Respondent's plan was that it was not for the 'apps' but only for the website of the Respondent establishment. The Complainant further informed that after 23.11.2022 meeting, no communication was received from the Respondent's end.

5.2 This Court recommended that both the Complainant and the Respondents should conduct a meeting and decide the issues relating to accessibility of the app and prepare a detailed report. This exercise should be conducted and report should also be submitted before this Court within 2 months of the date of that Recommendation-Order. After receiving the report this Court should decide the course of next hearing.

6. Compliance filed by the Respondents (Heard on 07.02.2023):

6.1 Respondent No. 3, Ministry of Electronics and Information Technology (MeitY), submitted that, as per the DEPwD Office Memorandum dated 10.03.2023, mobile applications are treated as intermediaries under the Information Technology Act, 2000, and issues relating to the accessibility of the Practo application may be taken up with MeitY.

6.2 However, Respondent No. 3 contended that its powers under the Information Technology Act, 2000 are confined to regulating intermediaries in matters relating to blocking of content and due diligence concerning third-party information. The rule-making powers under the IT Act do not extend to enforcing the accessibility requirements prescribed under the Rights of Persons with Disabilities Act, 2016 and the Rules framed thereunder.

6.3 Respondent No. 3 further submitted that, under the Allocation of Business Rules, 1961, the Department of Empowerment of Persons with Disabilities (DEPwD) is the nodal department for disability-related matters, while sectoral implementation rests with the respective Ministries and Departments. Since MeitY has neither administrative nor regulatory control over Respondent No. 1 nor implements any sectoral programme relating to persons with disabilities, it cannot be held responsible for ensuring compliance with the accessibility provisions of the RPwD Act, 2016.

7. Submissions made by the Complainant:

7.1 The Complainant vide email dated 15.09.2023 inter-alia submitted that the Respondent has failed to comply with the orders despite a time period of more than a year have elapsed and multiple rounds of dialogue and feedback exchanged. The application is still inaccessible and no steps have been taken by Respondent No.1. The Complainant requested to grant an early hearing in this case.

8. Hearing (4): A hearing through video conferencing was conducted on 15.03.2024.

8.1 During the hearing, the Complainant submitted that pursuant to the Order passed in August 2022, substantial improvements had been made and the application was now largely accessible. However, an independent accessibility audit report was still required to verify full compliance.

8.2 The Learned Counsel for Respondent No. 1 submitted that the app and website had been made fully accessible for persons with blindness and that a WhatsApp group had been created to receive user feedback. It was further submitted that an audit report from a recognized accessibility auditor would be filed within two months.

8.3 Taking note of the progress made, the Court appreciated the efforts of Respondent No. 1 and granted two months' time to submit an accessibility audit report from a recognized international accessibility professional.

9. Seeking current status of the case from both parties:

9.1 Vide email dated 29.04.2025 both parties were asked sought to provide current status of the instant case. But, no reply received from the parties.

10. Response from the parties:

10.1 Respondent No.1 vide email dated 29.04.2025 has submitted that they had already informed to this Court vide email dated 18.12.2024 regarding the necessary changes made to their platform/website; and requested this Court to pass a final decision in the matter. However, no response received from Complainant.

11. Hearing (5): A hearing through video conferencing was conducted on 22.07.2025.

11.1 In the absence of Respondent No. 1, the Court examined the accessibility

audit report of the Practo platform, which revealed several critical accessibility issues, particularly on the iOS application. The Complainant, a person with blindness, submitted that he was unable to use the application beyond the OTP screen and sought time-bound rectification of all identified deficiencies. Although Practo claimed partial compliance and sought further guidance, the Court reiterated that accessibility is a mandatory statutory obligation under the Rights of Persons with Disabilities Act, 2016, and not a matter of discretion. Accordingly, the Court directed Respondent No. 1 to rectify all deficiencies identified in the audit report through certified accessibility auditors within 45 days, and further directed Respondents No. 2 and 3 to file Action Taken Reports detailing the measures taken to ensure accessibility of the digital platforms under their respective jurisdiction, while cautioning that failure to comply may attract appropriate action under the RPwD Act, 2016.

12. Response received from the Respondent:

12.1 No response received from Respondents.

13. Hearing (6): A hearing through video conferencing was conducted on 12.12.2025.

13.1 During the hearing, Respondent claimed 60–70% compliance using Figma; Complainant objected and sought a certified third-party audit under RPwD Act and BIS norms. Court found repeated delay, rejected explanations, noted expiry of statutory deadline, and directed personal appearance of the concerned technical authority on 19.12.2025, with no further counsel submissions.

14. Status Report filed by Respondent No.1:

14.1 Respondent No.1 filed their status report dated 18.12.2025 and submitted that Practo has already achieved 60–70% accessibility and is working toward 95% compliance. Its engineering team has identified 200 interface pages needing changes and prepared modified designs using licensed software.

14.2 An external agency is auditing, implementing, and reassessing these changes. In light of recent regulatory timelines and on-going efforts, Practo seeks reasonable time to complete improvements and undertakes to provide periodic status reports.

15. Hearing (7): A hearing through video conferencing was conducted on 19.12.2025.

15.1 During the hearing, Respondent No. 1 outlined steps toward accessibility compliance, which the complainant opposed as insufficient. Noting prolonged pendency, the Commissioner directed that Respondent No. 1's technical head or decision-making authority appear on 22.12.2025 with concrete progress and audit details.

16. Hearing (8): A hearing through video conferencing was conducted on 22.12.2025 and following parties/Representatives were present:

Sl. No.	Name of the parties /Representatives	Parties	Mode
1.	Ms. Anchal Bhatheja, Counsel for Complainant	Complainant	Online
2.	Adv. Jagannath Nanda	Respondent No.1	Online
3.	Ms. Rupali Roy, ADG, DGHS	Respondent No.2	Online
4.	Ms. Aprajita, Joint Director, Ministry of Information and Broadcasting	Respondent No.3	Online

17. Proceedings of the hearing:

17.1 During the present hearing, Respondent No.1 submitted that an independent accessibility auditor has now been engaged and that accessibility improvements have been undertaken on its digital platforms. It was further submitted that approximately 70-76% accessibility has been achieved based on internal assessment tools and that redesigned interfaces have been forwarded to the independent accessibility auditor for evaluation. However, Respondent No.1 candidly admitted that it is presently not in a position to furnish any definite timeline for completion of the accessibility audit or implementation of the remaining accessibility measures.

17.2 The Complainant, on the other hand, submitted that despite repeated opportunities granted by this Court, the critical features of the application continue to remain inaccessible to persons with visual impairments. It was further contended that the internal assessment relied upon by Respondent No.1 cannot substitute an independent accessibility audit by a certified auditor and that the prolonged delay in achieving statutory compliance is wholly unjustified. The Complainant accordingly

sought issuance of time-bound directions for completion of the accessibility audit, implementation of all recommendations, and imposition of appropriate consequences in the event of continued non-compliance.

17.3 Respondent Nos.2 and 3 also appeared and submitted the status of action taken by them regarding accessibility measures undertaken within their respective departments.

18. Observations and Recommendations:

18.1 Having considered the pleadings, submissions, accessibility audit reports and the proceedings conducted over several hearings, this Court notes that although Respondent No. 1 has undertaken significant efforts towards improving the accessibility of its digital platforms, it has consistently admitted that only 60–70% accessibility compliance has been achieved and that several essential features of its website and mobile applications continue to remain inaccessible to persons with visual impairments. The prolonged delay in achieving full compliance, despite repeated opportunities granted by this Court since July 2022, cannot be justified.

18.2 The Court reiterates that Sections 40 and 46 of the Rights of Persons with Disabilities Act, 2016, read with Rule 15 of the Rights of Persons with Disabilities Rules, 2017, cast a mandatory obligation upon every establishment, whether public or private, to ensure accessibility of digital platforms and Information and Communication Technology services. Accessibility is not a voluntary or aspirational measure but a statutory obligation and an indispensable component of the rights to equality, dignity and life guaranteed under Articles 14 and 21 of the Constitution of India.

18.3 This position stands affirmed by the Hon'ble Supreme Court in *Vikash Kumar v. Union Public Service Commission*, wherein the Court held that reasonable accommodation and accessibility are integral facets of substantive equality and enforceable constitutional rights, and in *Rajive Raturi v. Union of India*, wherein the Hon'ble Supreme Court recognised accessibility as a fundamental human right and directed all authorities to adopt a proactive, time-bound approach towards removing barriers in the physical and digital environment. The Supreme Court further observed that accessibility is a precondition for the effective exercise of all other rights guaranteed to persons with disabilities.

18.4 In view of the continued delay and partial compliance, this Court, in exercise of the powers conferred under Section 76 of the Rights of Persons with Disabilities Act, 2016, recommends that Respondent No. 1 shall, within three (3) months from

the date of this Order, complete a comprehensive accessibility audit through an independent certified accessibility auditor and remove all remaining accessibility barriers across its website, mobile applications and other digital platforms in accordance with the RPwD Act, 2016, Rule 15 of the RPwD Rules, 2017, the Guidelines for Indian Government Websites (GIGW) and BIS Standard IS 17801.

18.5 Respondent No. 1 shall submit monthly compliance reports before this Court, with copies to the Complainant, indicating the progress made in implementing the audit recommendations. Respondent No. 2 shall continue to ensure compliance with Rule 15(2) of the RPwD Rules, 2017, and all future submissions before this Court shall be OCR-enabled and compatible with screen-reading software. Failure to comply with these recommendations within the stipulated period shall invite appropriate action under the provisions of the Rights of Persons with Disabilities Act, 2016.

19. Accordingly, the case is disposed of.

(S. Govindaraj)

Commissioner for Persons with Disabilities