



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. 14719/1101/2023

In the matter of-

Suo Motu

...Complainant

Versus

The Director/CEO

Adobe Software India Private Limited,

Sector 25-A, Noida,

Gautam Buddha Nagar, UP

...Respondent No.1

The Secretary

Ministry of Electronics and Information Technology

New Delhi

...Respondent No.2

1. Gist of the case:

1.1 The Court has taken suo-motu notice dated 29.12.2023 regarding accessibility issues in Respondent No. 1's products/services. PDF documents and Adobe Reader/Acrobat Pro are largely inaccessible for persons with visual impairment i.e. screen readers cannot be read/ navigated/ edited/ highlighted/ commented/ signed. Even the interface is not disability-friendly, making independent use difficult.

2. Notice issued to the Respondent:

A Notice dated 29.12.2023 was issued to the Respondent for forwarding their comments within 30 days to this Court u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016 (hereinafter referred as "the Act"). Final reminder dated 28.02.2024 issued to the Respondent for filing their response.

3. Submissions made by the Respondent:

3.1 Respondent No.2 filed their reply dated 29.12.2023 and submitted that they have written to Adobe Software India Pvt. Ltd. to address accessibility issues and ensure its products comply with Sections 40, 42, and 46 of the RPwD Act, 2016, and Chapter VII of the Act along with Rule 15 of the RPwD Rules, 2017 (hereinafter referred as “the Rules”).

3.2 No reply filed by Respondent No.1 till date.

4. Hearing (I): A hearing was conducted on 06.01.2026 in hybrid mode:

4.1 Respondent No. 2 stated that a letter dated 18 January 2024 was sent to Adobe regarding product inaccessibility, but no response was received, and that MeitY acts only as a facilitator.

4.2 Adobe’s representative said he was unaware of the complaint and sought time to verify facts. The Court directed both respondents to file detailed affidavits within seven days and listed the matter for hearing on 23.01.2026.

5. Hearing (II): A hearing was conducted on 30.01.2026 in hybrid mode:

5.1 Respondent No. 2 stated it only facilitates ICT, while accessibility compliance lies with respective organizations; DEPwD handles policy, and MeitY lacks power to regulate private companies on accessibility grounds.

5.2 The Court noted lack of clarity on enforcement and accountability, and directed Respondent No. 1 to appear on 08.04.2026 with a clear response on its role and regulatory mechanisms.

5. Hearing (III): A hearing was conducted on 08.04.2026 in hybrid mode and following Parties/Representatives were present:

S.No	Name and designation of the Attendees	Parties	Mode
1.	Adv. Shreya Sircar, Counsel for Respondent No. 1	Respondent No.1	Online
2.	Adv. Kunal Saini, Counsel for Respondent No. 1	Respondent No.1	Online
3.	Shri Ajay Kumar, Scientist D, Ministry of Electronics and Information Technology	Respondent No. 2	Online

5.1 At the outset, Respondent No. 1 submitted that it has undertaken various technological advancements since 2023 and expressed willingness to comply with accessibility requirements. Respondent No. 2 (MeitY) clarified its position regarding policy formulation and its limited enforcement powers.

6. Observations:

6.1 The Court Observed that section 46 of the Act mandates that all service providers, including private entities, shall make their services accessible within the prescribed time frame. The Rules framed in 2017 provided a clear timeline, requiring compliance by 2019. Despite this statutory mandate, the present case highlights a delay in demonstrable compliance.

6.2 Respondent No. 1 has acknowledged its obligation and expressed readiness to comply. However, mere intent is insufficient. Compliance must be demonstrable, audited, and verifiable through independent assessment.

6.3 While Respondent No. 2 has submitted that Department of Empowerment of Persons with Disabilities (DEPwD) plays a crucial role in Policy implementation, issuance of directions/circulars and coordination with stakeholders.

6.4 The Court further clarified that the accessibility is not optional or advisory. It is an essential component of equality and has been recognized as a fundamental right enabling full participation of persons with disabilities in society.

7. Recommendations:

7.1 The Respondent No. 1 is recommended to conduct a comprehensive accessibility audit of all its relevant products and services. Ensure that such audit is carried out only through independent, recognized, and competent accessibility auditors (IAAP Certified).

7.2 A detailed Accessibility Audit Report may be furnished to this Court by 30th June 2026 as a final opportunity. Failure to comply may result in appropriate penal proceedings under the Act, effective from 1st July 2026.

7.3 The Respondent No. 2 is recommended to Issue a comprehensive circular/advisory to all organizations under its jurisdiction (government and private stakeholders). The Circular shall emphasize mandatory compliance. Encourage adoption of accessibility audits. Promote co-ordination with the Department of Empowerment of Persons with Disabilities (DEPwD).

7.5 In terms of Section 76 of the Act, Action Taken Report shall be submitted to this Court within 90 days from the date of this Order.

8. Accordingly, the matter is disposed of.

(S. Govindaraj)
Commissioner for Persons with Disabilities