

Disability Bulletin

Developments in Disability Law & Policy

Edition 9

Policy Developments

1. Building an Inclusive Urban Future: Varanasi's Journey Towards Disability-Inclusive Governance

In an effort to integrate persons with disabilities into the urban development narrative, the National Institute of Urban Affairs (NIUA), in collaboration with UNESCO Delhi, launched the **"Good Governance for Urban In**clusion Through Data and Empowerment of Persons with Disabilities" (GUIDE) initiative. Piloted in Varanasi, Uttar Pradesh – a city emblematic of heritage, complexity, and diversity – this initiative seeks to build participatory data systems and evidence-based frameworks for inclusive policy design.

Why Varanasi?

Varanasi's selection was both strategic and symbolic. With Uttar Pradesh being home to the largest number of persons with disabilities in India, and Varanasi already experiencing rapid urban growth, the city presented an ideal testing ground. Since NIUA's engagement, over ₹200 crore has been invested in the city's transition from a welfare-based approach to a rights-based model of inclusion.

A Participatory, Multi-Stakeholder Approach

The GUIDE initiative follows five core principles of participatory development: inclusion of all stakeholders, engagement with diverse user groups, co-design with persons with disabilities, recognition of their aspirations, and ownership of data by the community.

The methodological framework involved three key stages: canvassing the city, understanding the user group, and conducting primary data collection. This involved:

- Focus Group Discussions (FGDs) with men and women with disabilities
- **Key Informant Interviews (KIIs)** with officials from local administrative and service departments
- Expert consultations to validate methodology
- Co-design workshops with local persons with disabilities to develop the household survey questionnaire

The research focused on core sectors essential for inclusion:



Shivpur ward, identified through secondary data as having the highest population of persons with disabilities, became the focal point for over 100 household surveys.

Education: While 73% of urban persons with disabilities aged 6–35 years had enrolled in school at some point, only 28% regularly attended. Mainstream schools enrolled 80.1% of students with disabilities, yet a shortage of accessible infrastructure, trained educators, and inclusive pedagogy was reported. Programmes like SHARDA and the Samarth app are supporting re-enrolment and tracking of students.

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Livelihood: A stark employment gap persists: 8 in 10 urban persons with disabilities remain unemployed. Despite educational qualifications, many face stigma, tokenism, and discriminatory wages. The Dukan Sanchalan Yojana and Rojgar Mela aim to increase entrepreneurship and job access, but concerns remain around inclusivity in recruitment and equal pay.

Digital Inclusion and Public

Services: Digitisation has improved access to services like electricity bill payment and gas refills, but persons with disabilities face barriers such as lack of digital literacy, inaccessible interfaces, and inadequate support in navigating online systems.



Recreation and Tourism:

Despite Varanasi's religious and cultural significance, public buildings, ghats, and tourist spaces remain largely inaccessible. Initiatives like the Kashi Vishwanath Corridor and Namo Ghat offer hope, but more widespread implementation of universal design is needed. GUIDE Initiative in Varanasi: Key Findings

Housing: Accessible housing is scarce. Persons with disabilities face difficulties securing units under PMAY-U and other schemes due to opaque processes and lack of community sensitisation.

Assistive Technology:

Awareness and access remain low. Most persons with disabilities self-finance devices due to insufficient government support. Complaints included poor quality, long replacement cycles, and unavailability of repair services.

Healthcare and Hygiene:

Only 52.7% of persons with disabilities in urban India access treatment by consulting doctors. Inadequate disability-specific services, inaccessible public toilets, and lack of sensitised medical personnel were major concerns. The average out-of-pocket monthly medical expense for persons with disabilities is ₹3,112.

Mobility: Nearly 52% of persons with disabilities report difficulty accessing public transport. Although schemes offer free transportation, infrastructural barriers, lack of accessible information, and discriminatory behaviour by drivers remain persistent hurdles.

 Financial Services: Access to banks and ATMs is impeded by infrastructure and attitudinal barriers. Separate counters and sensitisation of bank staff are key demands. Many persons with disabilities remain excluded from digital banking due to lack of accessible platforms and technical know-how. The report is rich with lived experiences that underscore the gaps between policy and practice. From being excluded at banks to being underpaid at work, persons with disabilities in Varanasi voiced a common aspiration: **dignity, respect, and autonomy.**

Read Report: Here

2. Ministry of Social Justice and Empowerment Distributes Devices Worth ₹63 Lakh to Persons with Disabilities and Senior Citizens in Udupi, Karnataka

On January 6, 2024, the Ministry of Social Justice and Empowerment distributed assistive devices worth ₹63 lakh to 609 beneficiaries in Udupi district, Karnataka. This initiative, conducted under the Assistance to Disabled Persons (ADIP) and Rashtriya Vayoshree Yojana schemes, aimed to empower differently abled individuals and senior citizens by providing them with essential aids.

Highlights of the Ceremony

1. Distribution Ceremony: Held at the Atal Bihari Vajpayee Auditorium in the Deputy Commissioner's office complex in Manipal, the event was organised by the district administration and the Department for the Empowerment of Differently Abled and Senior Citizens, in collaboration with the Artificial Limbs Manufacturing Corporation of India (ALIMCO).

2. Dignitaries Present:

- i. Kota Srinivas Poojary: The Udupi-Chikkamagaluru Member of Parliament emphasised the government's commitment to empowering differently abled individuals and senior citizens through various schemes. He announced plans to establish a local repair center in Udupi to ensure the maintenance of these devices.
- ii. K. Vidyakumari: The Deputy Commissioner highlighted the rigorous beneficiary selection process to ensure that the devices reached the deserving individuals, enabling them to lead independent and dignified lives.
- **iii. Yashpal Suvarna:** The Udupi MLA praised the government's efforts in providing quality assistive devices and encouraged beneficiaries to utilise them effectively.

The beneficiaries received various assistive devices, including hearing aids, wheelchairs, smartphones, and other necessary equipment. These devices were provided free of cost to support the daily activities of the recipients. This distribution is part of a broader national effort, with the Ministry allocating devices worth ₹51 crore across the country in the same year. Such initiatives reflect the government's dedication to creating an inclusive society where differently abled individuals and senior citizens have access to necessary resources for a dignified life.

Read Report: The Hindu

3. India Launches 16 Initiatives to Empower Persons with Disabilities on International Day of Persons with Disabilities, 2024

Marking the International Day of Persons with Disabilities 2024, Union Minister Dr. Virendra Kumar unveiled <u>16</u> <u>transformative initiatives</u> aimed at empowering Divyangjans across India. Held in New Delhi, the event celebrated inclusive growth, showcasing performances by Divyangjan artists and reinforcing the Government's vision for accessibility and equality.

Initiative	Description	
Sugamya Bharat Abhiyan Platform	A digital platform to empanel certified accessibility auditors, promoting inclu- sive infrastructure in built environments across India	
Sugamya Bharat Yatra	In partnership with the Association for Persons with Disabilities (APD), Kar- nataka, Divyangjans will evaluate the accessibility of public spaces using the AI-powered "Yes to Access" mobile app	
Pathways to Access – Part 3	A comprehensive compendium highlighting key government policies and schemes on employment, healthcare, and financial inclusion for persons with disabilities	
High-Power Spectacles	Designed by CSIR-CSIO, these advanced glasses enhance visual clarity for individuals with low vision, significantly improving daily functionality and quality of life	
Divyasha E-Coffee Table Book	A digital publication by ALIMCO showcasing its 50-year journey and stories of transformation through the provision of assistive devices	
Kadam Knee Joint	A made-in-India prosthetic developed by IIT Madras and SBMT, offering en- hanced mobility and affordability for amputees	
Awareness Generation and Publicity Portal	A user-friendly online platform enabling streamlined applications under the Awareness Generation and Publicity Scheme, ensuring transparency and outreach	
Accessible Storybooks	A set of 21 books in Braille, large print, and audio formats, created in collabo- ration with NIEPVD and National Book Trust, to foster inclusive education	
Standard Bharti Braille Code (Draft)	A proposal to standardise Braille scripts in 13 Indian languages with compat- ibility to Unicode, aimed at ensuring consistency in accessible content	
Braille Books Portal	An online submission system to encourage the development and dissemina- tion of Braille books for inclusive learning and reading	
MoU with Infosys BPM under PM DAKSH	A collaboration to boost employment opportunities for Divyangjans through the Divyangjan Rozgar Setu initiative on the PM DAKSH portal	

Initiative	Description	
Employability Skills Book	Published in 11 Indian languages, this resource bridges the gap between academic education and job readiness for persons with disabilities	
Infosys Springboard x Yunikee Collaboration	A skill-building program tailored for the deaf community, aiming to train 10,000 learners in one year, opening paths to employment, freelancing, and entrepreneurship	
Google Extension for Persons with Hearing Impairment	A partnership between SignUp Media and Yunikee to make sign language accessible in media and education content for the deaf community across India	
E-Sanidhya Neuro-Diversity Platform	A digital and physical support platform by Tata Power Community Devel- opment Trust and NIEPID, offering services for individuals with autism and other neuro-diverse conditions	
Computer-Based Indian Intelli- gence Test	An indigenous, culturally sensitive IQ test developed by NIEPID, based on data from over 4,000 children across India, tailored for better psychological assessment	

4. Taluka Hospitals can Now Issue Disability Certificates

In a significant move to enhance accessibility for people with disabilities, the **Maharashtra State Health Department has authorised taluka-level hospitals to issue disability certificates.** Previously, individuals seeking these essential documents had to travel to district hospitals or select medical colleges, often posing challenges for those in **remote areas**.

Media Release: Times of India

Key Highlights

- Decentralisation of Services: The initiative enables 326 taluka-level hospitals, each equipped with orthopedic specialists, to assess and certify disabilities. This shift aims to reduce the burden on district hospitals and make the certification process more accessible to rural populations
- Specialist Committees and Camps: Each sub-district hospital, particularly those with a 100-bed capacity, will establish a committee of specialists from the district. These committees will organise disability certification camps on the second and fourth Fridays of every month, streamlining the process for beneficiaries
- Comprehensive Coverage: The health department's directive encompasses the issuance of certificates for 21 recognised forms of disability. The process involves online applications, ensuring a standardised and transparent system
- Universal Disability Identity (UDID) Cards: In alignment with national objectives, the initiative facilitates the issuance of UDID cards. These cards serve as a single document for identification and verification, enabling beneficiaries to access various government schemes and benefits seamlessly

5. UDID Color Codes Spark Concerns Among Disability Activists

Disability Rights Groups protested the new colour coded Unique Disability Identity (UDID) cards, arguing that the system could create more obstacles for those seeking benefits. The colour coding of the cards as white (below 40% disability), yellow (40-80%) and blue (above 80%) has been argued to lack clear correlation with benefits and has the potential to restrict access to existing services. These changes have been described by members of civil society organisations such as the National Platform for the Rights of the Disabled (NPRD) to be "regressive."

The amendments were brought about following the Puja Khedkar case, which highlighted the vulnerabilities of the disability certification process. The activists have maintained that these new amendments fail to address the core issues revealed by the case. Further, the extension of the timeline for issuance of certificate has been opposed. Additionally, they have emphasised the need for specific schemes alongside new categorisation. The NPRD, supported by over 60 disability rights organisations, has called for the withdrawal of these amendments, arguing they contradict both the UN Convention on the Rights of Persons with Disabilities and the Rights of Persons with Disabilities Act, 2016.

Media Release: Times of India

6. Bridging the Gap: Delhi Adds 'Transgender' Option in Disability Pension Form After Long Overdue Advocacy

The Transgender Persons (Protection of Rights) Act, 2019, mandates that governments formulate welfare schemes that are transgender-sensitive and non-discriminatory. However, despite this legislation, transgender individuals with disabilities in Delhi faced challenges accessing welfare benefits due to the absence of a 'transgender' option in application forms.

One such individual, Ruby, a 45-year-old transgender woman with 100% hearing impairment, was denied a disability pension in 2021 because the application form did not recognise her gender identity. Her plight highlighted the systemic barriers faced by the transgender community in accessing government welfare schemes.

Impact: Towards Inclusive Welfare

The inclusion of the 'transgender' option in disability pension forms is more than a bureaucratic update; it signifies a move towards equitable access to social welfare benefits. Transgender individuals with disabilities can now apply for financial assistance, which can provide essential support for their daily needs and medical expenses.

While this development marks progress, activists emphasise the need for continued efforts to ensure that transgender individuals can access welfare benefits without discrimination. This includes raising awareness about the updated forms, training government officials to handle applications sensitively, and streamlining the process for obtaining transgender certificates, which are essential for accessing various benefits.

Media Release: Times of India

Legal Developments

1. Rapido to Submit Audit and Ensure App Accessibility for Users with Disabilities

In a significant push for digital inclusion, the Delhi High Court has strongly reprimanded Rapido, over serious accessibility shortcomings in its mobile application. The court directed both the company and the Ministry of Road Transport and Highways to take comprehensive steps to address the issue, marking a pivotal moment in the enforcement of digital accessibility rights for persons with disabilities.

The case, **Amar Jain & Anr. v. Roppen Transportation Services Pvt. Ltd. (Rapido)**,¹ was brought forward by Amar Jain, a disability rights advocate and lawyer, and Dipto Ghosh Choudhary, a visually impaired banking professional. Their petition spotlighted the systemic failure of digital ride-hailing platforms to meet the accessibility needs of users with disabilities, in violation of the Rights of Persons with Disabilities (RPwD) Act, 2016.

Audit Uncovers Alarming Non-Compliance

During the hearing, Justice Sachin Datta reviewed the accessibility audit conducted by SaralX Accessibility Pvt. Ltd., which had been commissioned by Rapido following a court directive issued in December 2024. The audit examined 38 screens of Rapido's Android app and uncovered 207 accessibility issues, with 81 categorised as "High Impact (P0)"—signalling major usability barriers for persons with disabilities. Describing the situation as "an alarming state of affairs," the Court noted that the app was far from compliant with legal mandates, particularly Rule 15 of the Rights of Persons with Disabilities Rules, 2017, which requires all Information and Communication Technology (ICT) platforms to incorporate accessibility features.

Rapido Responds with Commitments

In response, Rapido submitted an undertaking to the Court, pledging to fix all identified issues within four months. The company also committed to maintaining ongoing accessibility compliance and implementing a range of supportive initiatives. These include:

- Training programs for captains and staff focused on disability awareness and sensitivity
- Introduction of a feedback mechanism specifically for users with disabilities

"This initiative includes training on sensitivity, awareness, and the specific needs of persons with disabilities, as mandated under Section 47 of the RPwD Act," Rapido stated.

Ministry Directed to Clarify Regulatory Framework

In a move aimed at ensuring broader systemic reform, the Court also directed the Ministry of Road Transport and Highways to file an affidavit outlining the regulatory mechanisms in place to verify accessibility compliance in aggregator-based transportation apps prior to their launch. The Court made it clear that failure to file the affidavit within four weeks would compel the personal appearance of the concerned Joint Secretary on the next date of hearing, set for August 13, 2025.

Media Release: SCC Online

Source: Livelaw

¹W.P(C) 14735/2023

2. Court Allows All Candidates with Disabilities to Use Scribes in Exams Without Meeting Benchmark Disabilities

Kumar v. Institute of Banking Personnel Selection²

Supreme Court Ensures Equal Exam Access: All Candidates with Disabilities are Entitled to Scribe Support – A Landmark Step for Inclusive Education

In a significant ruling, the Supreme Court of India has extended the right to avail a scribe during examinations to all persons with disabilities, irrespective of whether they fall under the legally defined category of "benchmark disability." This judgment marks a critical move towards the realisation of inclusive and equitable education in India, reaffirming the commitment of the judiciary to uphold the rights enshrined under the **Rights of Persons with Disabilities (RPwD) Act, 2016**.

Understanding the Background: Benchmark vs. Non-Benchmark Disabilities

Under the RPwD Act, a "benchmark disability" is defined as a disability of 40% or more, based on a medical certification. This classification had long been used by institutions to determine who qualifies for specific accommodations, including the use of scribes during exams. However, this approach inadvertently excluded many individuals who, despite having genuine difficulties in writing or communicating due to their disability, did not meet the benchmark threshold.

These included individuals with dyslexia, certain neurodivergent conditions, mild cerebral palsy, temporary physical impairments (like injuries), and progressive illnesses. Many such candidates were denied scribes solely because they did not have a certificate stating 40% or more disability. This created an arbitrary and unjust distinction in access to equal opportunities.

The Court's Observation: Equity Over Percentage

The Supreme Court, in its judgment, made it clear that access to a scribe must not be determined solely by the degree of disability, but rather by the extent to which the disability affects a candidate's ability to take the exam effectively. The Court emphasised that requiring a candidate to demonstrate a specific percentage of disability to qualify for assistance runs contrary to the principles of equity and inclusion embedded in the RPwD Act.

By allowing candidates to avail themselves of a scribe upon producing a medical certificate that justifies their need—regardless of whether they are benchmarked or not—the Court removed a major procedural barrier that disproportionately affected many students.

Reinforcing the Right to Reasonable Accommodation

This ruling reaffirms the RPwD Act's guarantee of **reasonable accommodation**—defined as necessary and appropriate modifications that do not impose a disproportionate or undue burden, to ensure persons with disabilities enjoy rights on an equal basis with others. The denial of a scribe to a student solely based on not being "benchmark" disregarded the unique challenges many individuals face in exam settings. Reasonable accommodation is not a matter of charity but of justice. The judgment thus shifts the focus from a narrow, medicalised definition of disability to a rightsbased approach that looks at real, lived experiences and the barriers that need to be removed for equal participation.

Source: Livelaw

²W.P.(C) No. 1018/2022

Implications for Institutions and Examination Authorities

This ruling carries far-reaching consequences for examination boards, educational institutions, and government agencies. It mandates a shift in how disability is understood and addressed. Institutions must now revisit their policies to ensure that they do not discriminate against students on the basis of benchmark categorisation alone. Assessment of accommodation requests should be based on medical recommendations and the individual's functional abilities rather than the percentage of disability. Moreover, institutions will need to create more responsive, transparent, and inclusive mechanisms for evaluating such requests to avoid unnecessary hardship or exclusion.

3. Motor Accident Compensation | Disability Certified by Medical Board Cannot be Reduced Without Ordering Re-Assessment

Prakash Chand Sharma v. Rambabu Saini & Anr.³

Supreme Court Recognises 100% Disability in Coma Case, Enhances Compensation to ₹48.7 Lakh

In a landmark judgment that reinforces the dignity and rights of persons with severe disabilities, the Supreme Court of India has significantly enhanced the compensation awarded to a motor accident victim left in a comatose state, recognising 100% permanent disability and the lifelong need for care.

Background of the Case

On March 23, 2014, Prakash Chand Sharma was returning to his village in Rajasthan when his motorcycle was struck head-on by a Maruti Omni traveling on the wrong side of the road. The impact left Sharma with severe head injuries and permanent impairment—he now lives in a comatose state, unable to speak, walk, or care for himself. Following the incident, Sharma filed a claim before the Motor Accident Claims Tribunal (MACT), Alwar. The Tribunal, after considering the facts, awarded a compensation of ₹16.29 lakh. Upon appeal, the Rajasthan High Court enhanced the compensation to ₹19.39 lakh. Dissatisfied with the quantum, Sharma approached the Supreme Court seeking a more just assessment.

Key Legal Issues

The Supreme Court was asked to consider:

- Whether the High Court and the Tribunal erred in disregarding the Medical Board's finding of 100% permanent disability
- Whether the compensation for attendant charges, pain, and suffering was grossly inadequate given the claimant's condition
- Whether future income loss and prospects were accurately computed

Supreme Court's Ruling

A bench of Justices Sanjay Karol and Manmohan allowed the appeal, observing that the Medical Board's expert opinion clearly established 100% permanent disability. The Court held that the Tribunal was wrong in substituting its own view without seeking a fresh medical assessment.

The judgment quotes the Medical Board's certificate, which stated:

"The patient has no speech, and his intellectual functions are completely impaired. He cannot stand or walk and is catheterized till now... He is dependent on others for all Activities of Daily Living (ADL)... Total permanent physical impairment is 100%."

Taking into account the total loss of bodily function and mental faculties, the Court recalculated the compensation and enhanced several components.

³SLP(C)No.3066 OF 2024)

Revised Compensation Breakdown

Head	Amount (₹)
Loss of Future Income (100% disability)	₹24,79,620
Future Prospects (25%)	₹6,19,905
Attendant Charges (₹5,000/ month x 13 yrs)	₹7,80,000
Medical Reimbursement	₹1,71,155
Hospitalisation Expenses	₹18,500
Physical and Mental Agony	₹2,00,000
Pain and Suffering	₹6,00,000
Total	₹48,69,180

The Court rounded off the total compensation to **₹48.7 lakh with 7% annual interest** from the date of the claim petition.

Significance of the Judgment

This decision is a significant reaffirmation of the importance of respecting medical expert evidence in cases involving severe disability. The Court's recognition of 100% disability due to cognitive and functional loss, even in the absence of visible physical disfigurement, widens the interpretation of disability in accident claims.

Moreover, the judgment sets a precedent in ensuring that:

- Medical Board opinions are not casually disregarded without due process
- Attendant care is appropriately valued in compensation awards for claimants with permanent dependency
- Pain and suffering for comatose or severely disabled individuals is adequately compensated beyond symbolic amounts

The Supreme Court's ruling aligns with the broader jurisprudence on human dignity, bodily autonomy, and the right to a life with dignity—values enshrined in Article 21 of the Constitution. **Source:** Livelaw

4. 'Both Hands Intact' Condition for MBBS Admission of Persons with Disabilities is Arbitrary

Anmol v. Union of India & Ors.⁴

On February 21, 2025, the Supreme Court of India delivered a landmark judgment declaring the National Medical Commission's (NMC) eligibility criterion mandating that candidates possess "both hands intact, with intact sensation and sufficient strength" for admission to the MBBS course as arbitrary and unconstitutional. The Court found this stipulation to be discriminatory against individuals with disabilities, contravening the Rights of Persons with Disabilities (RPwD) Act, 2016, and the principles enshrined in the Constitution.

Background

The case involved a petitioner with a locomotor disability who was denied admission to the MBBS program at Government Medical College, Sirohi, Rajasthan, based on the aforementioned NMC guideline. This guideline, outlined in Appendix H-1 of the Graduate Medical Education Regulations (Amendment), 2019, specified that eligibility for medical courses required candidates to have both hands intact with full sensation and strength.

Supreme Court's Analysis

A bench comprising Justice B.R. Gavai and Justice K.V. Viswanathan critically examined the NMC's stipulation. Justice Viswanathan, authoring the decision, emphasised that such a blanket requirement is antithetical to the principles of inclusivity and reasonable accommodation mandated by the RPwD Act and the Constitution. The Court observed that flexibility in addressing individual needs is essential and that a *"one-size-fits-all"* approach is inappropriate.

The judgment underscored that the "both hands intact" condition propagates ableism—a belief system that devalues individuals with disabilities by glorifying typical abilities as superior. Such a condition, the Court noted, has no place in statutory regulations and undermines the rights guaranteed under the Constitution and the RPwD Act.

⁴CIVIL APPEAL NO. 14333 OF 2024

Implications and Directives

The Supreme Court directed the NMC to revise its guidelines to align with the principles of reasonable accommodation and inclusiveness. This entails conducting functional assessments of candidates with disabilities to determine their capability to pursue medical education, rather than imposing blanket physical requirements. The Court highlighted that denying admission based on such arbitrary criteria not only violates constitutional rights but also deprives the medical profession of talented individuals who, with appropriate accommodations, can contribute significantly.

Source: Livelaw

5. Supreme Court holds Visually Impaired Candidates Eligible for Appointment in District Judiciary

Recruitment of Visually Impaired in Judicial Services v. Registrar General, High Court of Madhya Pradesh⁵

On March 3, 2025, the Supreme Court of India upheld the right of visually impaired candidates to participate in judicial service examinations. The Court struck down discriminatory provisions in the Madhya Pradesh Judicial Service Rules, 1994 and criticised similar barriers in the Rajasthan Judicial Service Rules, 2010.

The case arose from petitions challenging Rule 6A of the MP Rules, introduced in June 2023, which excluded visually impaired candidates from judicial appointments. The Court declared this rule unconstitutional, reaffirming that visually impaired individuals, once legally qualified, must be considered eligible for judicial roles. It emphasised that such exclusions violated the Rights of Persons with Disabilities Act, 2016, and the principles of equality under the Constitution.

Further, the Court invalidated Rule 7 of the MP Rules that imposed additional conditions on candidates with disabilities, recognising the systemic barriers they face. It stressed the need for separate merit lists and cut-offs for candidates with disabilities, holding that their absence amounts to indirect discrimination. Citing India's obligations under the UN Convention on the Rights of Persons with Disabilities, the Court reiterated that reasonable accommodation is not a concession, but a legal right linked to dignity under Article 21.

The ruling quashed exclusionary notifications and directed authorities to revise their recruitment frameworks within three months. The Court also clarified that distinctions between person with disabilities and persons with benchmark disabilities are irrelevant in employment contexts under the RPwD Act. This judgment marks a significant step toward a more inclusive and accessible Indian judiciary.

Source: Bar and Bench

6. 155 Establishments Fined for Failing to Meet Digital Accessibility Standards

India is witnessing a pivotal shift in its digital accessibility landscape, following a landmark Supreme Court judgment **Rajive Raturi v. Union of India**⁶ delivered on November 8, 2024. In response to a petition filed by disability rights activist Rajive Raturi, the Court directed the Union Government to establish mandatory digital accessibility standards for persons with disabilities, affirming that accessibility is a constitutional right. Although the Rights of Persons with Disabilities (RPwD) Act, 2016, had previously laid a legal foundation, the self-regulatory nature of its 2017 rules led to widespread non-compliance and inconsistent implementation.

In the aftermath of the Court's directive, the Chief Commissioner for Persons with Disabilities initiated enforcement measures, penalising 155 government and private establishments for non-compliance. Despite multiple extensions and a final deadline set for February 28, 2025, only six organisations submitted their accessibility audit reports. While the Department of Empowerment of Persons with Disabilities empanelled auditors to support compliance, progress remains slow.

⁵SMW(C) No. 2/2024 ⁶WP (C) No. 243 of 2005 As an empanelled auditing firm, DigitalA11Y has observed systemic challenges that hinder effective implementation—ranging from a lack of awareness and unrealistic timelines to inaccessible government platforms and delayed payments. Accessibility is often approached as a superficial, compliance-driven exercise rather than a genuine commitment to inclusivity. This moment represents a crucial opportunity for transformation. Legal mandates must be matched by sustained awareness, adequate funding, and administrative reform. Digital accessibility should be viewed not as an afterthought, but as an integral component of equitable digital development. With collective accountability, India can build a truly inclusive digital ecosystem for all citizens.

Media Release: Times of India