



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE M.G.S. KAMAL

WRIT PETITION NO.21978 OF 2021 (GM-RES)

BETWEEN:

DR. KALYAN C. KANKANALA,
AGED 43 YEARS,
S/O DR. KRISHNA MOHAN K,
NO.40, 3RD MAIN ROAD,
JC INDUSTRIAL ESTATE,
KANAKAPURA ROAD,
BANGALORE - 560 062.

...PETITIONER

(BY SRI. ASWIN PRABHU S.D, ADVOCATE)

AND:

1. UNION OF INDIA,
MINISTRY OF COMMERCE AND INDUSTRY
UDYOG BHAWAN, NEW DELHI - 110 011,
THROUGH ITS SECRETARY.
2. DEPARTMENT FOR PROMOTION OF
INDUSTRY AND INTERNAL TRADE,
UDYOG BHAWAN, NEW DELHI - 110 011,
THROUGH ITS SECRETARY.
3. OFFICE OF THE CONTROLLER GENERAL
OF PATENTS, DESIGNS AND TRADEMARKS,
BOUDHISAMPADA BHAWAN,
S M ROAD, ANTOP HILL,
MUMBAI - 400 037,





REPRESENTED BY CONTROLLER GENERAL OF
PATENTS, DESIGNS AND TRADEMARKS.

4. CHIEF COMMISSIONER OF PERSONS
WITH DISABILITIES, SAROJINI HOUSE,
6, BHAGWANDASS ROAD,
NEW DELHI - 110 001.

5. STANDARDISATION TESTING AND QUALITY
CERTIFICATION DIRECTORATE,
MINISTRY OF ELECTRONICS AND INFORMATION
TECHNOLOGY, GOVERNMENT OF INDIA,
ELECTRONICS NIKETAN, 6, CGO COMPLEX,
LODHI ROAD, NEW DELHI - 110 003.
REPRESENTED BY ITS DIRECTOR GENERAL.

...RESPONDENTS

(BY SMT. VIDYA PAI, ADVOCATE FOR
SMT. NAYANA TARA B.G, CGC)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECT THE R-3 TO
MAKE ITS WEBSITES MENTIONED IN PRAYER AND ONLINE
PROCEDURES INCLUDING VIDEO-CONFERENCEING FULLY
COMPLIANT WITH ACCESSIBILITY GUIDELINES SET OUT IN
WEBSITE COMPLIANCE MATRIX APPENDED TO THE
GUIDELINES FOR GOVERNMENT WEBSITES (2.0), 2019
EDITION AND OBTAIN NECESSARY CERTIFICATION IN THIS
REGARD FROM THE R-5 AND ETC.,

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR JUSTICE M.G.S. KAMAL

ORAL ORDER

1. By Order dated 27.08.2024, after hearing the learned counsel for the petitioner as well as the contesting respondents, this Court has passed the following Order:

Learned counsel for the respondent, taking this Court through the directions sought by the petitioner in the interim application in I.A.No.1/2023, submits that steps have already been taken to meet the requirements of the Statute viz., The Rights of Persons with Disabilities Act, 2016, to provide and comply with the request being made by the petitioner. She further submits that fresh guidelines have been issued subsequent to filing of the petition, which would substantially take care of the request and demand made by the petitioner. She also submits that as regards brining the website in-tune with the guidelines enabling the persons with disabilities to have access, she submits that it may take some time after the design and project being approved by the concerned.

Learned counsel for the respondents to file an affidavit with regard to the submission made, by the next date of hearing.

List this matter on 09.09.2024."



2. Today, learned counsel appearing for respondent No.3 files an affidavit of one Dr. V. Parimalavarsini-respondent No.3 who is the Deputy Controller of Patents and Designs, which reads as under :

" I, Dr. V. Parimalavarsini, D/o Sri K. Vasudevan, aged about 49 years, being the Deputy Controller of Patents & Designs having my office at The Patent Office, Intellectual Property Rights Building, GST Road, Guindy, Chennai-600032, do hereby solemnly affirm and state on oath as follows:

1. I am the Deputy Controller of Patents and Designs. I am authorized to swear to this Affidavit on behalf of Respondent No.3. I am conversant with the facts of the case.

2. The Respondent No.3 has issued "Guidelines For Accessibility and Reasonable Accommodation for Persons with Disabilities" during the pendency of the above Writ Petition. The same may be read as part and parcel of the present Affidavit.

3. I state that the Petitioner has filed I.A. No.1/2023 in the above matter seeking for various accommodation for Persons with Disability. I state that in response to the request of the Petitioner, the Respondent No.3 will extend the following reasonable accommodations:



The Respondent No.3 shall provide OCR readable documents on request made by Persons with Disability.

b. Audio Captcha has been provided in Websites owned by Respondent No.3.

c. Virtual hearing is being conducted on Webex platform which is accessible with screen readers.

d. The Respondent No.3 shall treat request for adjournment favourably, as far as possible, when made by Persons with Disability on account of accessibility issues.

4. The Respondent No.3 has commenced preparation of scope of work towards a tender for making the websites accessible to Persons with Disability in line with prevailing Guidelines issued by the Union of India for the same. Upon receiving the necessary approvals from concerned authorities, the websites will be made accessible to Persons with Disabilities.

Wherefore it is prayed that this Hon'ble Court be pleased to take the present Affidavit on record and dispose the above matter in terms of the present Affidavit, in the interest of justice."



3. In view of the aforesaid affidavit having been filed, apprehension given to the petitioner has been substantially complied. Learned counsel for the petitioner also concedes to the same. In that view of the matter, petition is disposed, in terms of the affidavit.

**SD/-
(M.G.S. KAMAL)
JUDGE**

SNC
List No.: 1 Sl No.: 13
CT: BHK