In the Court of Commissioner for Persons with Disabilities
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
Phone-23216002-04, Telefax: 23216005
[Vested with power of Civil Court under the Persons with Disabilities (Equal
Opportunities, Protection of Rights and Full Participation) Act, 1995]

Case No. 4/838/2014-Wel./CD|1830-32

Dated: 9·10·15

In the matter of :

Dr.Satendra Singh
Coordinator Enabling Unit
University College of Medical Sciences
University of Delhi
Guru Teg Bahadur Hospital
New Delhi-110095

.... Petitioner

Versus

Sh.Vasantha Kumar N.
Secretary
Information Technology Department
9th Level, Delhi Secretariat
I.P.Estate, New Delhi-110002

Sh.Amar Nath
Secretary
Department of Health & Family Welfare
9th Level, Delhi Secretariat,
I.P.Estate, New Delhi-110002

….....….......…Respondents

ORDER

1. A representation was received from Dr.Satendra Singh Coordinator Enabling Unit University College of Medical Sciences University of Delhi Guru Teg Bahadur Hospital Delhi-110095 stating that websites of the hospitals of Government of NCT of Delhi are not accessible to persons with disabilities and all the websites of the 39 hospitals under Government of NCT of Delhi Content Management System portal are disabled unfriendly. The office of the Hon'ble Prime Minister of India in 2010 issued a directive on urgency of making all government websites accessible to all citizens/persons with disabilities. The Chief Commissioner for Persons with Disabilities had also written to all the Chief Secretaries/Administrators of all the States/Union Territories and the Cabinet Secretary Government of India on 23.1.13 to make all the websites of the Government accessible to citizens/persons with disabilities. The National Informatics Centre

Government of India has also issued guidelines that all government websites should conform to the international accessibility standards the W3C and the WCAG2.0. Patients with disabilities cannot access vital information about doctors and hospitals because the sites are not accessible which is discriminatory since this content is available to non-disabled persons. The petitioner requested that suitable directives should be issued for making the websites accessible by 3.12.14.

2. The representation was forwarded to the Health and Family Welfare Department Government of NCT of Delhi for taking appropriate action. However no response was received from the Department of Health and Family Welfare and therefore hearings were held.

3. The Department of Information and Technology filed a status report on 5.10.15 which states **Quote** "With available resources IT Department with the help of DeGS had enabled disable friendly features in following 23 websites of hospitals under health department. Dr.Hedgeuar Arogya Sansthan, Lal Bahadur Shastri Hospital, Maharishi Balmiki Hospital, Sardar Vallabh Bhai Patel Hospital, Sanjay Gandhi Memorial Hospital, Acharaashree Bhkshu Hospital, Ayurvedic and Unani Tibbia College and Hospital, Deen Dayal Upadhyay Hospital, Aruna Asaf Ali Government Hospital, Baba Saheb Ambedkar Hospital, Chacha Nehru Bal Chikitsalya, Dadadev Mother and Child Hospital, Govind Ballabh Pant Hospital, Guru Govind Singh Government Hospital, Guru Nanak Eye Centre, Guru Teg Bahadur Hospital, Institute of Human Behaviour and Allied Sciences (IHBAS), Lok Nayak Hospital, Rao Tula Ram Memorial Hospital, Sushrut Trauma Centre, B.R.Sur Homeopathic Medical College, Nehru Homeopathic Medical College and Chaudhary Brahm Prakash Ayurved Charak Sansthan. The concerned hospital should take care of following points before asking It Department to make website live in public : Ensure that contents are updated, if domain is not available the hospitals may create its own domain and test the site for all possible links etc. The websites of four hospitals does not exist in CMS of Delhi Government. The Commission may like to pass directions to these hospitals to make the sites disable friendly. In case they need help IT Department may provide the support. Institute of Liver and Biliary Sciences (ILBS), Delhi State Cancer Institute, Maulana Azad Institute of Dental Sciences and Rajiv Gandhi Super Speciality Hospital. In addition to this following hospitals may not have any website :Bhagwan Mahaveer Hospital, Attar Sain Jain Hospital, Babu Jagjivan Ram Hospital, Central Jail Hospital, Deep Chand Bandhu Hospital, Dr.N.C.Joshi Hospital, Janakpuri Super Speciality hospital, Jag Parvesh Chander Hospital, Pt. Madan Mohan

Malviya Hospital and Poor House Hospital. Whenever these hospitals go for a website they must enable the disable friendly feature right from the beginning. DeGS has enabled the basic disability features in the websites. Many features pertaining to true disable friendly websites are yet to be put in place. Sh.Prashant Verma the subject expert had pointed out in an email that there are many other things are to be done to make the website true disable friendly. The website www.wave.sebaim.org will be used to rate the disable friendliness of contents. As per the direction of Secretary Department of Information Technology Department is required to make all websites of Delhi Government as disable friendly. In this endeavour there is need to build the in house capacity. We need to seek help from Sh.Prashant Verma and Dr.Satender Jain and like those" **Unquote**. A rejoinder was filed by the petitioner stating that **Quote** "The pages are not structured properly using heading tags. Different sections of the page such as the main body important links etc should be tagged with <h1> <h2> semantically. Still many images do not have text descriptions(alt text). On using the keyboard the focussed links should be highlighted properly. This is called keyboard focus and it is not appropriate on all websites. The default colour combinations in some places make text difficult to read for example the important links section on http://delhi.gov.in/wps /wcm/connect/doitgbph/GBPH/Default1/. Any file uploaded in image format will not be accessible at all. this is a big concern since generally very important information is uploaded as files on the websites. These should be converted to text and put up in HTML/EPUB/Word/PDF format. And the online registration form http://dshm.delhi.gov.in/mis/(S(m2ebikg1ttcwdrrekqcel514))/opr/frmNew UserRegistration.aspx is not accessible to many due to the image CAPTCHA (see image and type characters). After a long struggle IRCTC agreed to provide an alternative to this. They now provide a one time password on mobile phone which has to be entered in the website. Without such kind of option this is totally inaccessible to visually impaired users. I tested your websites on the online validator www.wave.webaim.org and was disappointed by results Commissioner Disabilities Government of NCT website has 9 errors, Disability Affairs website of MSJE has zero errors but links provided by you has 40, 50 or 60 errors. Please check on this website and try to fix all issues. I would have liked you to adhere to the guidelines and go for certification too but it seems that is not under consideration right now." **Unquote**.

4. I have studied the requirement and the progress made so far very carefully and I am of the opinion that all the deficiencies in the websites as pointed out by the petitioner need to be

made good in a time bound manner. It needs to be ensured that the websites are easily accessible to persons with disabilities without any outside assistance enabling them to access all/any relevant information whenever it is required by them. It is the primary responsibility of the Department of Information and Technology to provide technical assistance for ensuring that the needful is done in a time bound manner. It would also be necessary to issue suitable directions to the Medical Superintendents of the hospitals which do not have the websites to set up websites without further loss of time. The contents of the websites are required to be updated periodically under appropriate guidance of the concerned officers of the Department of Information Technology. The websites of all the departments/local and autonomous bodies etc under the Government of NCT of Delhi should be made disabled friendly for equal opportunities and full participation of the persons with disabilities. An Action Taken Report shall be filed by the Secretary Information Technology and Secretary Health and Family Welfare Government of NCT of Delhi in three months i.e by 31.12.15.

Given under my hand and the seal of the Court this 9th day of October, 2015.

(K.S. Mehra)
Commissioner
Court of Commissioner (Disabilities)
National Capital Territory of Delhi
Room No. - 1
25-D, Mata Sundari Road, New Delhi-02