



REGULATORY

TECHNOLOGY LAW

The New Accessibility Conformance Regime: Key Takeaways from the Draft RPwD (Amendment) Rules, 2026

AUTHOR Abha Shah, Rahul Sundaram

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The Ministry of Social Justice and Empowerment has issued **draft notification S.O. 3962(E)** dated 16 July 2026, proposing amendments to the Rights of Persons with Disabilities Rules, 2017, published in the Extraordinary Gazette on 20 July 2026. The draft is open for public objections and suggestions for thirty days from publication, to be addressed to the Under Secretary at the Department of Empowerment of Persons with Disabilities.

Table of contents

- [Background and Supreme Court Direction](#)
- [Key Definitions Under the Amendment](#)
- [Scope and Covered Items](#)
- [Applicable Standards and Compliance Obligation](#)
- [Accessibility Conformance Report \(ACR\) Requirements](#)
 - [Format and Publication](#)
 - [Contents of the ACR](#)
 - [Keeping the ACR Current](#)
 - [Content and User-Generated Content Platforms](#)
 - [Qualified Evaluators](#)
- [Compliance Timelines](#)
 - [Government Procurement](#)
- [Enforcement and Penalties](#)
 - [Licensing and Disclosure Obligations](#)
- [Quality Control Orders](#)
- [Grievance Redressal Mechanism](#)
 - [Designated Officers](#)
 - [Complaint and Appeal Process](#)
 - [Contents of Complaints and Appeals](#)
- [National Accessibility ICT Committee](#)
- [Periodic Review and Schedules](#)
- [Explanatory Note and Objectives](#)

Background and Supreme Court Direction

This amendment follows the Supreme Court's direction in **Rajive Raturi versus Union of India** on 8 November 2024. The Court mandated the government to delineate mandatory, non-negotiable accessibility rules under Section 40 of the Rights of Persons with Disabilities Act, 2016, by segregating binding provisions from the guidelines under Rule 15 of the 2017 Rules.

The Court emphasised the need for a *uniform, enforceable accessibility floor* integral to the right to life.

Key Definitions Under the Amendment

The amendment revises clause (c) of sub-rule (1) of Rule 15 and defines several key terms:

- **Accessibility Conformance Report (ACR)** — A documented statement indicating the extent to which a covered item conforms with IS 17802 (Part 1): 2021 as tested per IS 17802 (Part 2): 2022, including supporting explanations and the adopted test methodology.
- **Archived content** — Content clearly identified as archived, not intended for active public use or update, and retained solely for record purposes.
- **Major change** — Any upgrade, addition, or modification materially altering functionality, performance, user interface, design, usability, appearance, or accessibility features to an extent affecting compliance.
- **Turnover** — Determined under applicable law with reference to the immediately preceding financial year. For applicability, it includes consolidated turnover of the establishment together with any establishment exercising control over, controlled by, or

under common control with it, where such establishments make available covered items in India including through platforms or intermediaries.

Scope and Covered Items

The scope covers **every establishment**, whether in India or abroad, that manufactures, designs, develops, exercises decisive technical control over, or makes available specified items to persons in India for public or consumer use, including automated systems.

Covered items include:

- Websites, mobile and tablet applications, other touch-based applications and software with documentation and support services
- All digital content and formats, and electronic documents including non-web documents
- ICT-based public facilities and services used in urban and rural areas, and services embedding or providing standalone ICT-based user interfaces
- Hardware-based ICT with two-way voice communication capability
- Hardware-based ICT with video-based communication capability
- All other ICT-based hardware and electronic goods and equipment for everyday use
- ICT-based consumer products
- ICT-based accessories for general use by persons with disabilities
- ICT-based products used as part of public facilities and services including those embedding standalone ICT-based user interfaces

Applicable Standards and Compliance Obligation

Every establishment must ensure all covered items comply with **IS 17802 (Part 1): 2021** and **IS 17802 (Part 2): 2022** as published by the Bureau of Indian Standards. Establishments must also comply with any accessibility requirements notified by the relevant sectoral regulator or competent authority.

Where any inconsistency arises between these rules and sectoral standards, the *higher or more stringent requirement* prevails. Where inconsistent with other guidelines, these rules prevail to that extent.

Accessibility Conformance Report (ACR) Requirements

Every establishment must furnish an **Accessibility Conformance Report** for all covered items, whether developed in-house, procured, or otherwise made available, per timelines and subject to content and user-generated content platform provisions. Clearly identified archived content is exempted.

Format and Publication

The ACR must be supplied free of cost and published on the establishment's website or mobile application. It must be available in:

- **Human-readable format** such as accessible HTML or accessible PDF
- **Machine-readable format** such as JSON, XML, or any structured format enabling monitoring and automated verification

Failure to publish both formats is non-compliance. The human-readable version prevails if inconsistent, but both must be accurate.

Contents of the ACR

The ACR must describe conformance with IS 17802 (Part 1): 2021 as tested per IS 17802 (Part 2): 2022, following a recognised format such as the **Voluntary Product Accessibility Template** or any structured format specified under IS 17802, aligned with the most recent standard versions.

It must provide a detailed conformance statement for each requirement, with requirement-specific explanations including test results, methods, and verifiable examples. It must also disclose the test methodology including automated testing, manual inspection, or assistive technology testing and their scope and limitations.

Establishments must review and verify each ACR for accuracy and conformity with the most recent BIS standards before deployment, correcting non-conformities before release. Reliance on a supplier's ACR without *due diligence* does not absolve liability.

Keeping the ACR Current

The ACR must be kept current, with **re-testing** against the most recent IS 17802 versions whenever a major change occurs, completed before deployment. The updated ACR must indicate the revision date.

Where a change is not major, records must be maintained and produced on request; failure is non-compliance. A fresh review and update must occur at least **every two years** regardless of major changes.

Content and User-Generated Content Platforms

For content, the ACR obligation applies to the underlying system, platform, content management system, workflow, or authoring tool generating content, not each individual item, provided content is accessible per standards.

For **user-generated content platforms**, the obligation applies to the platform, which must provide capability to embed accessibility features including:

- Captions
- Transcripts
- Alternative text
- Audio description
- Accessible formats with structured content and logical reading order

The platform must guide users at upload and disclose supporting measures in its ACR. Where capability is unavailable at commencement, it must be implemented within **six months**.

Qualified Evaluators

Each ACR must be prepared, reviewed, or verified by individuals or organisations with **demonstrable domain expertise** in accessibility evaluation and testing, familiarity with the referenced standards, assistive technologies, and recognised methodologies, with relevant training, experience, or certifications from national or international bodies.

Their contact details and credentials must be published in the ACR. BIS must notify the reporting format within **ninety days** as part of IS 17802.

Compliance Timelines

Compliance timelines are **turnover-based**:

- **Schedule I — scope sub-clauses (a), (b), and (c):** Establishments with turnover of five hundred crore or more must comply with IS 17802 (Part 1): 2021 within *one year* from publication; smaller establishments have *eighteen months*.
- **Schedule II — sub-clauses (d), (e), (f), (g), and (h):** Larger establishments must comply within *one year*; smaller ones within *eighteen months*.
- Archived content is exempt if clearly identified and not intended for active public use.
- All establishments must fully comply within **two years** from publication for Section 46.

Government Procurement

No **government establishment** may procure, deploy, upgrade, or renew any covered item unless compliant. Every government establishment must within ninety days revise procurement policies, tenders, requests for proposals, contracts, and processes to incorporate accessibility requirements as mandatory conditions, technical specifications, and evaluation criteria.

Enforcement and Penalties

Non-compliant establishments face **fines under the Act** without prejudice to other laws. The Chief or State Commissioner may inquire and impose fines under Section 89, while sectoral regulators may impose additional penalties, sanctions, or corrective measures for continued non-compliance despite fines.

Non-compliant establishments must remedy within **ninety days** of the competent authority's order, including an updated ACR. Failure to remedy attracts enhanced fines.

Continued non-compliance may lead to *suspension or cancellation* of registration, certification, authorisation, or approval by the regulator or ministry, either suo moto or on recommendation by the Chief or State Commissioner.

Licensing and Disclosure Obligations

Where items require licensing, registration, certification, approval, or clearance, authorities must require an **ACR or compliance undertaking** for grant, renewal, or continuation. Where no licensing exists, establishments must disclose an ACR with documentation or on their website or app.

ACRs must be signed by the nodal officer designated under grievance provisions or by a **senior manager not below Director or designated partner equivalent**, who is responsible for accuracy.

Where an ACR is not furnished or is false, misleading, or materially inaccurate, the concerned authority may initiate action under applicable law without prejudice to action under the Act or rules.

Quality Control Orders

Quality control orders must be modified within ninety days to include compliance with these rules wherever applicable.

Grievance Redressal Mechanism

Every establishment must designate a senior officer as **Grievance Redressal Officer** to oversee implementation and address complaints, with contact details in the ACR.

Designated Officers

Every ministry, department, authority, or regulator must designate:

- A **Deputy Nodal Officer** not below Director
- A **Chief Nodal Officer** not below Joint Secretary

Details must be published within ninety days. The Deputy Nodal Officer examines complaints, undertakes fact-finding, seeks records, issues corrective directions, monitors compliance, and disposes of complaints within **forty-five days**.

Complaint and Appeal Process

1. Aggrieved persons must first approach the **Grievance Redressal Officer**, who must resolve complaints within *thirty days*.
2. If unresolved or aggrieved by the decision, a complaint may be filed with the **Deputy Nodal Officer** within thirty days.
3. If unresolved or aggrieved by the Deputy Nodal Officer, an appeal lies to the **Chief Nodal Officer** within thirty days.
4. The Chief Nodal Officer hears appeals, reviews systemic issues, issues compliance directions, and disposes of appeals within *forty-five days*.
5. A person aggrieved by the Chief Nodal Officer's decision may approach the **Chief or State Commissioner** under the Act without prejudice to other remedies.

Contents of Complaints and Appeals

Complaints and appeals must contain:

- Complainant details
- Identification of the establishment and item
- A barrier description
- Relevant dates
- Supporting material
- Relief sought
- For appeals, the original complaint and decision or grounds for non-receipt

National Accessibility ICT Committee

The Department must constitute a **National Accessibility ICT Committee** within ninety days, with representatives of ministries, departments, authorities, regulators, and at least fifty per cent persons with disabilities.

The Committee shall:

- Coordinate implementation and review trends
- Identify gaps and issue binding directions and standard operating procedures
- Lay down certification and empanelment frameworks for accessibility professionals and testing agencies
- Maintain an approved panel with periodic review
- Publish indicative tools and methodologies
- Resolve inter-jurisdictional issues
- Promote capacity-building
- Submit annual reports to the Central Government

It must meet **quarterly** and publish proceedings on the Department's website.

Periodic Review and Schedules

The rules require **review every three years** or when standards are modified.

- **Schedule I** covers software with open and closed functionality, web content, and non-web documents under sub-clauses (a), (b), and (c), referencing Sections 9, 10, and 11 of IS 17802 (Part 1): 2021.
- **Schedule II** covers hardware-based ICT with voice and video communication and other hardware under sub-clauses (d), (e), (f), (g), and (h), referencing Sections 6, 7, and 8.

All schedule references are to the latest standard versions including revisions notified by BIS.

Explanatory Note and Objectives

The explanatory note states that the draft was prepared pursuant to Supreme Court directions to create **mandatory rules under Section 40** by segregating non-negotiable rules from Rule 15 guidelines. The objective is to prescribe a mandatory accessibility floor for ICT products and services per BIS standards.

A phased approach based on turnover establishes a minimum floor, while all establishments must achieve full compliance within the Section 46 timeline. The amendment introduces mandatory ACRs with re-testing obligations, aligns enforcement with the Act's penalty framework, and preserves sectoral regulators' powers.

The intent is to reduce ambiguity, strengthen accountability, enable monitoring, and allow periodic review to reflect BIS standard revisions.

For further details write to contact@indialaw.in

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