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***IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ **W.P.(C) 7009/2018**

% **Date of decision : 9th July, 2018**

FEDERATION OF DISABLED RIGHTS ..... Petitioner

Through : Mr. K.K. Mishra, Mr. Sanjay Baniwal and Mr. Lal Babu Lalit, Advs.

versus

DEPARTMENT OF SOCIAL WELFARE, GOVT. OF NCT OF DELHI AND ORS. ... Respondents

Through : Mr. Sanjoy Ghose, ASC, GNCTD with Ms. Urvi Mohan and Mr. Shwetank Singh, Advs. for GNCTD / R-1.
Ms. Suparna Srivastava, Standing Counsel for UOI.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)

GITA MITTAL, ACTING CHIEF JUSTICE

1. This writ petition *inter alia* regarding creation of a department in the Government of NCT of Delhi to look after all matters relating to the disabled, has been necessitated because the respondents have not taken a view on the several representations made to them by the petitioner since 26th April, 2015 till 19th December, 2017. The

petitioner has also placed before us a copy of the order dated 30th July, 2015 (*page 125*) addressed by the Office of the Commissioner for Persons with Disabilities to the petitioner disclosing the issue. This writ petition has been filed by the Federation of Disabled Rights representing the rights and interests of the disabled people.

2. The writ petition complains that given the number of disabled persons as well as several schemes of both Central and State, which are required to be worked, it is essential for effective working thereof to constitute a separate specialized department to ensure the welfare of persons with disabilities and that the benefits of the schemes reach them.

It is submitted that the Central Government has created a Department of Empowerment of Persons with Disabilities (*Divyangjan*) in the Ministry of Social Justice and Empowerment and the Government of NCT of Delhi ought to also create a similar department.

3. The other issue flagged in the writ petition is regarding the non-accessibility to several websites of both the respondents by the disabled persons.

4. It cannot be denied that the accessibility to information and knowledge, especially of welfare schemes for the disabled is essential to ensure that the real benefit thereof is made available to those whose difficulties are intended to be addressed. All websites should therefore, required to be in working condition and accessible to the disabled.

5. The issues flagged by the writ petitioner are important and

deserve to be considered.

6. Ld. counsel for the respondents have assured this court that the matters will be examined in right earnest and a considered view will be taken.

7. So far as the accessibility to websites are concerned, we are assured by ld. counsel for the respondents that the respondents shall do the needful.

8. In view of the above, we dispose of this writ petition with a direction to the respondents to treat this writ petition as a representation and take a view thereon within eight weeks from today.

9. The view taken by the respondents shall be communicated to the petitioner who, in case still aggrieved, shall be free to seek redressal by appropriate petition.

Dasti to parties.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

JULY 09, 2018
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