

Access to Justice for Persons with Disabilities

Highlights from Report Launch



PACTA

SOCIAL | IMPACT | LEGAL

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The ground must be prepared with reliable data, institutional commitment, and meaningful public reporting. This report offers all three.

To judges, police officers, prison authorities, legal aid providers, and policymakers: this is more than a study. It is a roadmap.

**- Dr. Justice D Y Chandrachud
Former Chief Justice of India**



Access to Justice

For Persons with Disabilities in India

A DATA-INFORMED
REPORT



Keynote Delivered by Shanti Raghavan

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When you really understand the lived experience of persons with disabilities, you will not only be enabling that person, but you are also building the society. We all are going to benefit, because we'll also have the same impact for ourselves.

- Shanti Raghavan, Founder, Enable India





Introduction

Pacta launched the report, **'Access to Justice for Persons with Disabilities in India: A Data-informed Report'** on **4 July, 2025**.

This report uncovers the systemic absence of disability-disaggregated data across the justice system. The absence of data serves as a proxy for the invisibility of persons with disabilities across the system's **four key pillars: Police, Judiciary, Legal Aid and Prisons**. It draws on both existing data and lived experiences to identify critical gaps and offer recommendations to advance effective implementation.



Official launch of the report by Nivedita Krishna and Shanti Raghavan

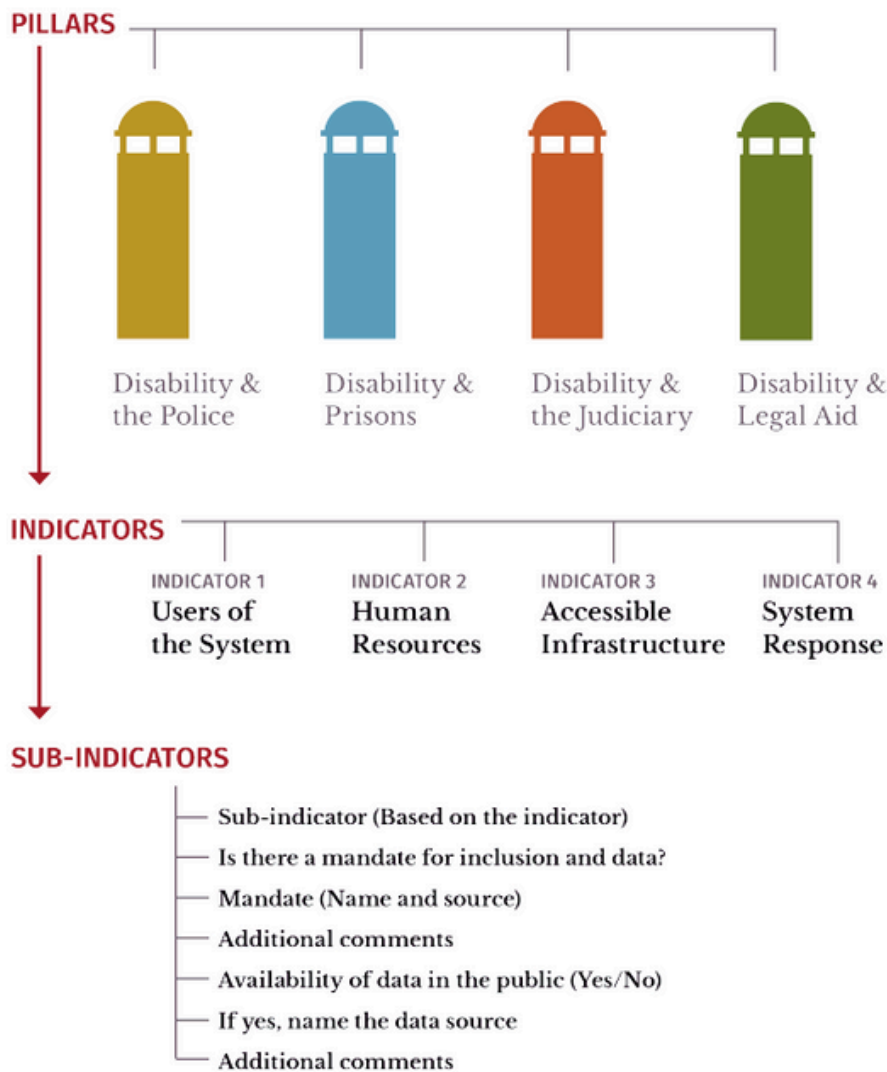


60 participants

joined the launch event, both in person and online, including advocates, lawyers, researchers, and experts with lived experience.



Findings from the Report



The Framework of Analysis

The report draws on over 600 RTI applications, interviews with practitioners, and a review of policy documents and institutional practices. It focuses on four pillars: Police, Prisons, Judiciary, and Legal Aid—assessed through four indicators: user experience, human resources, infrastructure, and systemic response which were further broken down into sub-indicators relevant to each institution.



Legal Anchors

This report draws on two key legal frameworks that mandate inclusion within the justice system

1. UN Convention on the Rights of Persons with Disabilities (UNCRPD), ratified by India in 2007
2. Rights of Persons with Disabilities Act, 2016 (RPwD Act)

Relevant sections of the RPwD Act include:

- **Section 12** places a statutory obligation that persons with disabilities have equal and non-discriminatory access to all judicial and quasi-judicial forums, including courts and tribunals.
- **Section 34** mandates a minimum 4 % reservation in all government establishment vacancies for persons with benchmark disabilities.
- **Section 92** outlines criminal penalties for atrocities against persons with disabilities. It provides for imprisonment ranging from six months to five years, along with a fine—for acts of abuse, exploitation or violence.



Panel 1: Designing for Inclusion – Disability Accessibility Across the Justice System

Speakers

- **Dr. Sanjay Jain**
Professor of Law, NLSIU Bengaluru
- **Nipun Malhotra**
Co-Founder, Nipman Foundation
- **Shreya Tripathy**
Senior Resident Fellow, Vidhi Centre
for Legal Policy

Moderator

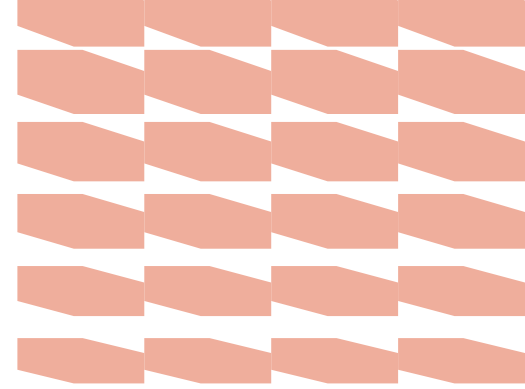
- **K K Prahalad**
Legal and Policy Associate, Pacta



Panel (left to right): Shreya Tripathy, Dr. Sanjay Jain, Nipun Malhotra (joining online) and K. K. Prahalad



Key Highlights



- Institutional mechanisms remain weak. The post of Chief Commissioner for Persons with Disabilities (CCPD) has often remained vacant or lacks functional independence and representation.

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- Disability reforms continue to follow a top-down approach, with limited participation from rural and marginalised communities.

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- Procedural reforms such as the introduction of Explosive Trace Detection (ETD) machines in airports are a positive step, but gaps in legal awareness and sensitivity training remain, particularly at smaller airports.

- Ground-level accessibility barriers persist. Poorly placed screens and inadequate audio systems in courts limit effective access.

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- The involvement of persons with disabilities in both the design and evaluation of infrastructure and digital services is critical for meaningful inclusion.



Panel 2: Justice Seen, Justice Done – The Role of Courts in Advancing Disability Rights

Speakers

- **Jayna Kothari,**
Executive Director, Centre for Law
and Policy Research
- **Shrutika Pandey**
Program Officer, iProbono India
- **Rahul Bajaj**
Co-Founder, Mission Accessibility

Moderator

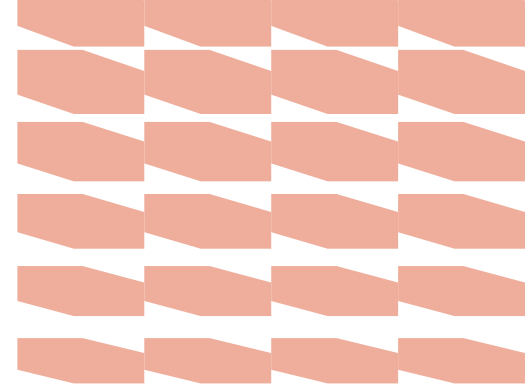
- **Bency Ramakrishnan**
Lead Legal, Pacta



*Panel (left to right): Shrutika Pandey, Jayna Kothari, Rahul Bajaj
(joining online) and Bency Ramakrishnan*



Key Highlights



- Judicial enforcement of reasonable accommodation obligations remains inconsistent. Private entities often fail to comply with mandates under the RPwD Act.

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- Accessibility is increasingly framed as a legal right. Certain High Courts have instituted priority hearings for disability-related matters.

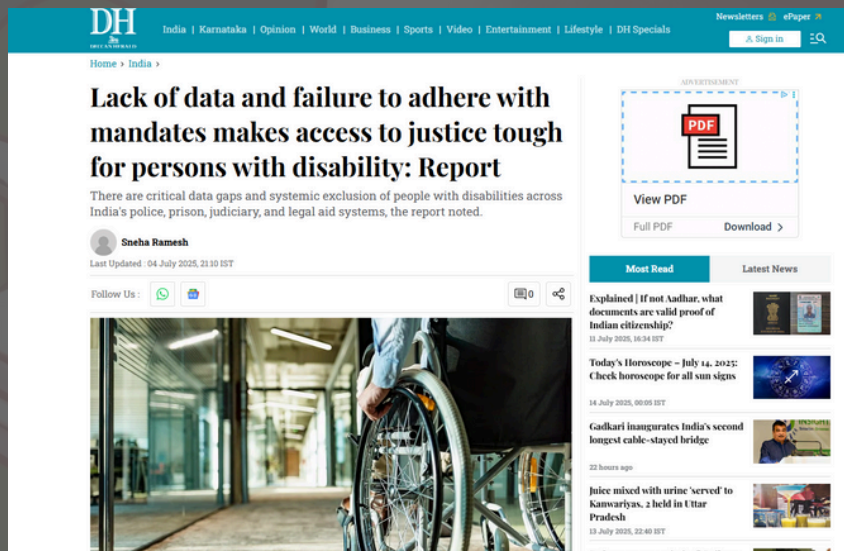
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- Advisory bodies such as the CCPD (Chief Commissioner for Persons with Disabilities) are increasingly being treated as legally consequential by lower courts.

- Many states have not notified special courts under the RPwD Act. Where notified, these courts often lack awareness, capacity, and procedural effectiveness.

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- Available data indicates that fast-track courts may have higher pendency and lower conviction rates, including in cases of sexual assault, raising concerns about their effectiveness in delivering timely justice.

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- There is a need to operationalise Section 12 of the RPwD Act to ensure access to all justice actors, not only special courts.

Press Coverage

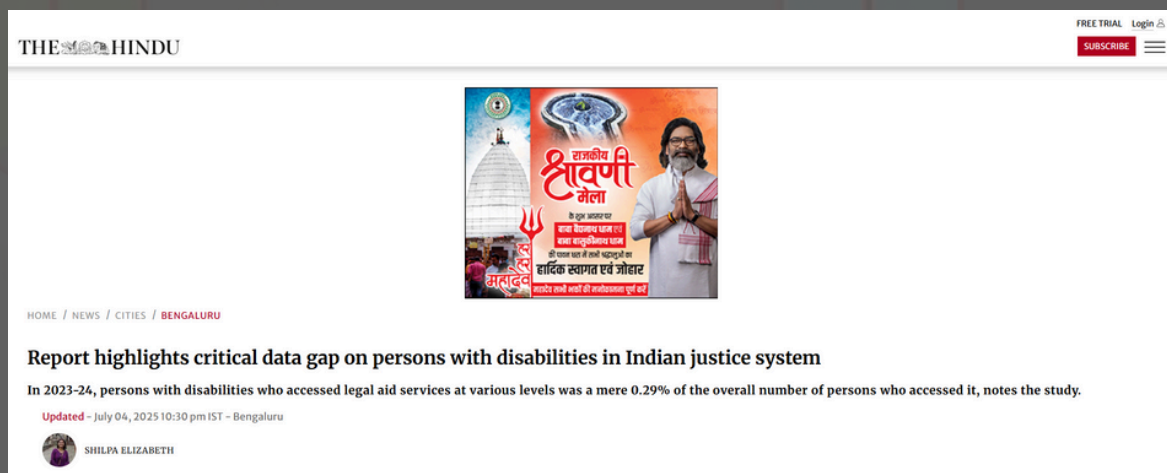


THE DECCAN HERALD

Over ten publications, including The Hindu, New Indian Express, The Week, PTI and YourStory, covered the event.



THE TIMES OF INDIA



THE HINDU

Closing Note



This convening underscored the urgent need for systemic reforms, grassroots inclusion, and cross-sector collaboration. From courts and police stations to legislative drafting and urban policy, accessibility must become non-negotiable. This report is ultimately a call to action. It invites those working within and alongside the justice system to reimagine access not as an accommodation, but as a right.

The following reflections emerged during the open discussion:


- **Police and Prosecution:** Interpreters and intermediaries should be available on demand at police stations. Accused persons with disabilities often face greater barriers than victims in accessing fair legal processes.
- **Judicial Interpretation and Training:** Although the Patan Jamal Vali judgment and the Bharatiya Nyaya Sanhita (BNS) represent progress, there is still no statutory requirement for interpreters during legal proceedings.
- **Missed Opportunities:** Government-led reviews of disability law have often excluded basic accessibility measures such as sign language interpretation. The Ministry of Housing and Urban Affairs has yet to meaningfully incorporate inclusive housing policies despite evident need.



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