



KULDEEP SINGH BHULLAR

V/S

PUNJAB AGRICULTURAL UNIVERSITY, LUDHIANA AND ORS.

Present: Petitioner in person.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

1. The petitioner, who has been diagnosed with PPRP of the right lower limb with wasting and shortening of the right lower limb, quadriceps palsy on the right side, having flexion deformities at hip and knee joints, and who has been certified as having 60% permanent disability in relation to his right leg, has approached this Court seeking issuance of directions to the respondent(s) to allot him a structurally suitable and occupationally fit house, and further to undertake all necessary modifications, repairs, and accessibility adjustments in accordance with the Rights of Persons with Disabilities Act, 2016.

2. The Rights of Persons with Disabilities Act, 2016, comprehensively addresses the grievance articulated in the present writ petition. In particular, Section 40 thereof casts a statutory obligation upon the Central Government, in consultation with the Chief Commissioner, to lay down standards for accessibility pertaining to the physical environment, transportation, information and communications, as well as other facilities and services extended to the public. Furthermore, Section 44 of the *ibid* Act expressly prohibits the grant of permission to any establishment for constructing any structure unless the building plan adheres fully to the rules prescribed by the Central Government under Section 40. Moreover, Section 45 delineates the timeframe for rendering existing infrastructure and premises accessible, and action for that

purpose. Sections 40, 44, and 45 of the *ibid* Act are extracted hereunder:-

“40. Accessibility.—*The Central Government shall, in consultation with the Chief Commissioner, formulate rules for persons with disabilities laying down the standards of accessibility for the physical environment, transportation, information and communications, including appropriate technologies and systems, and other facilities and services provided to the public in urban and rural areas.*

44. Mandatory observance of accessibility norms.—*(1) No establishment shall be granted permission to build any structure if the building plan does not adhere to the rules formulated by the Central Government under section 40.*

(2) No establishment shall be issued a certificate of completion or allowed to take occupation of a building unless it has adhered to the rules formulated by the Central Government.

45. Time limit for making existing infrastructure and premises accessible and action for that purpose.—*(1) All existing public buildings shall be made accessible in accordance with the rules formulated by the Central Government within a period not exceeding five years from the date of notification of such rules: Provided that the Central Government may grant extension of time to the States on a case to case basis for adherence to this provision depending on their state of preparedness and other related parameters.*

(2) The appropriate Government and the local authorities shall formulate and publish an action plan based on prioritisation, for providing accessibility in all their buildings and spaces providing essential services such as all primary health centres, civil hospitals, schools, railway stations and bus stops.”

3. In exercise of the powers conferred by sub-sections (1) and (2) of Section 100 of the *ibid* Act, the Central Government has promulgated the Rights of Persons with Disabilities Rules, 2017. Rule 15 thereof assumes particular relevance and significance in the context of the present matter, as it mandates compliance by every establishment with the

standards for public buildings, as stipulated in the Harmonised Guidelines and Space Standards for Barrier-Free Built Environment for Persons with Disabilities and Elderly Persons, issued by the Government of India, Ministry of Urban Development, in March 2016. Rule 15 reads as under:-

“15. Rules for Accessibility.- (1) Every establishment shall comply with the following standards relating to physical environment, transport and information and communication technology, namely:-

(a) standard for public buildings as specified in the Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons With Disabilities and Elderly Persons as issued by the Government of India, Ministry of Urban Development in March, 2016;

(b) standard for Bus Body Code for transportation system as specified in the notification of the Government of India in the Ministry of Road Transport and Highways, vide number G.S.R. 895(E), dated the 20th September, 2016;

(c) Information and Communication Technology-

(i) website standard as specified in the guidelines for Indian Government websites, as adopted by Department of Administrative Reforms and Public Grievances, Government of India;

(ii) documents to be placed on websites shall be in Electronic Publication (ePUB) or Optical Character Reader (OCR) based pdf format:

Provided that the standard of accessibility in respect of other services and facilities shall be specified by the Central Government within a period of six months from the date of notification of these rules.

(2) The respective Ministries and Departments shall ensure compliance of the standards of accessibility specified under this rule through the concerned domain regulators or otherwise.”

4. The issue inhering the instant writ petition transcends the individual grievance of the petitioner and bears wider ramifications, inasmuch as it concerns the rights of similarly situated physically disabled employees serving in the States of Punjab, Haryana, and the Union Territory of Chandigarh, including those employed in Boards, Corporations, and Societies under the control and administrative purview of the respective States and the Union Territory of Chandigarh. In order to ensure comprehensive adjudication, the States of Punjab, Haryana, and the Union Territory of Chandigarh are accordingly impleaded as respondents in the array of parties, through their respective Chief Secretaries. Moreover, the Principal Secretary/Secretary/Director of the Department of Social Justice and Empowerment in the States of Punjab, Haryana, and the Union Territory of Chandigarh shall also be impleaded as respondents in the instant writ petition. The Registry is directed to carry out the necessary amendments in the memo of parties.

5. Given the transcendent significance of the controversy and the fact that the petitioner is prosecuting the matter in person, this Court appoints Mr. Kshitij Sharma, Sr. Advocate, and Mr. Tahaf Bains, Advocate (P/2328/2017) (Mobile No.9814914373), who are present in Court, as *amicus curiae* to assist in the adjudication of the matter.

6. The Registry is directed to send a photocopy of the entire records of the writ petition to the aforesaid counsel.

7. Since the matter encompasses substantial elements of larger public interest, the instant writ petition shall be treated as a Public Interest

Litigation, and it shall be placed before the Hon'ble Chief Justice on the administrative side, for assignment to the Bench seized of the relevant subject roster.

(KULDEEP TIWARI)
JUDGE

February 24, 2026
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