



# GRC BULLETIN

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## Case Law

Supreme Court Opens Digital Doors to the Disabled,  
Making KYC for all

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## JUDICIAL INSIGHT

### Case Title

*[PRAGYA PRASUN & ORS. vs UNION OF INDIA & ORS. [WRIT PETITION (CIVIL) NO. 289 OF 2024] heard with AMAR JAIN vs UNION OF INDIA & ORS. [WRIT PETITION (CIVIL) NO. 49 OF 2025]*

# SUPREME COURT OPENS DIGITAL DOORS TO THE DISABLED, MAKING KYC FOR ALL

### FACTS

- Survivors of acid attacks with facial or eye disfigurements, along with a petitioner who is completely blind, stated that digital KYC/e-KYC/video-KYC is not accessible for them.
- Common actions such as “taking a live photo by blinking,” aligning selfies, scanning on-screen codes, quick OTPs, face matching, and digital signatures prevent them from accessing bank accounts, acquiring SIMs, making investments, obtaining insurance, pensions, etc.
- They requested that the Court mandate alternative KYC methods that accommodate disabilities, clarify that “live photograph” should not be restricted to just blinking eyes, and permit assistance from others, as well as offline KYC when necessary.

### ISSUES

- Do existing KYC regulations/practices marginalize individuals with disabilities and breach Article 21 (right to life/dignity) as well as the RPwD Act, 2016?
- Should regulators (RBI, SEBI, IRDAI, PFRDA, DoT, TRAI) offer accessible options—and expand the definition of “liveness/live photo” to include more than just eye-blinking?
- Should assisted/physical KYC be permitted without penalizing the user (e.g., referring to it as “prompting”)?

### RULING

- Entitlement to digital access is equal to the component of Article 21. In the modern world, crucial services operate on digital frameworks; being excluded equates to a violation of rights. The State and authorities need to create inclusive systems.
- "Live photo" cannot be merely a blink. Regulators should enhance liveness verification methods (such as voice prompts, additional facial gestures, and different validation techniques) to ensure individuals who are unable to blink/align their faces aren't excluded.

### Various available alternatives needed:

- Provide support for video-KYC and offline/physical KYC upon request—without additional obstacles.



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- Accept thumbprints or similar marks when signatures cannot be used.
- Make sure apps/websites are compatible with screen readers and have accessible captcha/OTP processes.
- Human involvement: Establish human oversight for KYC denials resulting from accessibility problems and create a specialized helpline to assist users through the process.

### **Management & responsibility:**

- Designate Nodal Officers in every department/regulator to implement accessibility measures.
- Perform routine accessibility evaluations, release transparent disclosures, and provide training/awareness sessions for employees.

### ***Essential point***

- The Supreme Court emphasized that digital public and financial services should be accessible to all, and regulations for KYC.

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Link

[https://api.sci.gov.in/supremecourt/2024/17879/17879\\_2024\\_13\\_1\\_501\\_61229\\_Judgement\\_30-Apr-2025.pdf](https://api.sci.gov.in/supremecourt/2024/17879/17879_2024_13_1_501_61229_Judgement_30-Apr-2025.pdf)



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