



UPSC & STATE PCS CURRENT AFFAIRS · UJIYARI.COM

DAILY CURRENT AFFAIRS

Disability Rights and Judicial Expansion of Article 21 — Digital Access as a Fundamental Right

31 January 2026

SUBJECTS COVERED**POLITY****SOCIAL ISSUES****CURATED & WRITTEN BY****Bharat Choudhary**

UPSC Educator & Content Creator •

[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)

Free UPSC & State PCS Resources

ujjyari.com

Disability Rights and Judicial Expansion of Article 21 — Digital Access as a Fundamental Right

31 January 2026

WHY IN NEWS

The Supreme Court in January 2026 directed the Centre and the Reserve Bank of India to submit compliance reports on its landmark April 2025 ruling in **Amar Jain v. Union of India**, which declared the **right to digital access a component of Article 21** — directing banks to make eKYC processes accessible for persons with visual disabilities and acid attack survivors, in a significant expansion of the right to life and personal liberty.

SUPREME COURT RULING — DIGITAL ACCESS AS ARTICLE 21 RIGHT

In **Amar Jain v. Union of India (W.P.© No. 49/2025)** and the connected **Pragya Prasun v. Union of India (W.P.© No. 289/2024)**, a Supreme Court bench comprising **Justice J.B. Pardiwala** and **Justice R. Mahadevan** delivered judgment on **April 30, 2025**, ruling that:

The **right to digital access** is an intrinsic component of the **right to life and personal liberty** under **Article 21**

Inaccessible digital financial services (eKYC, mobile banking) constitute a **denial of life's essentials** to persons with disabilities

The government and RBI have **positive constitutional obligations** to make digital infrastructure inclusive

20 specific directions issued, including:

RBI and banks to remove **eye-blinking liveness checks** from eKYC for acid attack survivors (whose eyes may be damaged)

Mandatory **audio prompts and screen-reader compatibility** for all digital banking interfaces

Dedicated **grievance mechanisms** for persons with disabilities in banking

Mandatory **sensitisation training** for bank staff on disability-inclusive service

Accessible formats for all government digital services

ARTICLE 21 — THE EXPANDING RIGHT TO LIFE

Article 21 reads: “No person shall be deprived of his life or personal liberty except according to procedure established by law.”

The Supreme Court has progressively expanded its scope through interpretation:

Right Included in Art. 21	Case	Year
Right to live with dignity	<i>Francis Coralie Mullin v. UT of Delhi</i>	1981
Right to livelihood	<i>Olga Tellis v. Bombay Municipal Corporation</i>	1985
Right to health	<i>Paschim Banga Khet Mazdoor Samiti</i>	1996
Right to education (until Art. 21A added)	<i>Mohini Jain; Unni Krishnan</i>	1992
Right to privacy	<i>K.S. Puttaswamy v. Union of India</i>	2017 (9-judge bench)
Right to die with dignity (passive euthanasia)	<i>Common Cause v. Union of India</i>	2018
Right to internet (free flow of information)	<i>Anuradha Bhasin v. Union of India</i>	2020
Right to digital access	<i>Amar Jain v. Union of India</i>	2025

RIGHTS OF PERSONS WITH DISABILITIES (RPWD) ACT 2016

Rights of Persons with Disabilities (RPwD) Act, 2016:

Enacted to align India’s domestic law with the **UN Convention on the Rights of Persons with Disabilities (UNCRPD)** (2006; India ratified: **2007**)

Replaced the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, **1995**

Key provisions of RPwD Act 2016:

Provision	Detail
Disability categories	Expanded from 7 to 21 types
Reservation (Govt. jobs)	4% horizontal reservation in central government posts (vs 3% under 1995 Act)
Reservation (Higher education)	5% seats reserved in govt. higher educational institutions
Penalty	Up to 5 years imprisonment for discrimination against PwDs
Chief Commissioner	National apex authority for disability rights
ADIP Scheme	Assistance to Disabled Persons for Purchase of Aids and Appliances

21 disability types under RPwD 2016 (select): Blindness, low vision, deaf-blindness, hearing impairment, locomotor disability, intellectual disability, specific learning disabilities (dyslexia), autism spectrum disorder, mental illness, chronic neurological conditions, multiple sclerosis, thalassemia, haemophilia, sickle cell disease.

ACCESSIBLE INDIA CAMPAIGN (SUGAMYA BHARAT ABHIYAN)

Parameter	Detail
Launched	December 3, 2015 (International Day of Persons with Disabilities)
Ministry	Social Justice and Empowerment
Three pillars	Built environment accessibility; Transport accessibility; ICT/web/mobile accessibility
Target	100% accessible government buildings, airports, railway stations
Web Accessibility	WCAG 2.0 Level AA compliance for all government websites

INDIA'S DISABILITY PROFILE

Estimated population with disabilities: 2.21 crore (Census 2011); actual estimates: **5–7 crore** (WHO-based methodology)

Visually impaired: ~50 million (one of the world's largest populations of visual impairment)

Deaf/hard of hearing: ~6.3 million

Locomotor disability: Largest category in Census 2011 (~20% of PwDs)

Employment gap: Persons with disabilities have a **labour force participation rate of ~36%** vs ~55% for general population — a 19-percentage point gap largely driven by inaccessible workplaces and discrimination.

UPSC RELEVANCE

RPwD Act 2016 (21 categories; 4% horizontal reservation in govt. jobs; UNCRPD; replaced 1995 Act); Art. 21 expansion — *Amar Jain* (digital access, 2025); *Anuradha Bhasin* (internet, 2020); *Puttaswamy* (privacy, 2017); Sugamya Bharat Abhiyan (2015; 3 pillars; Ministry of Social Justice); UNCRPD (2006; India ratified 2007).

MAINS GS-2:

Constitutional Law — judicial expansion of Art. 21; social justice — disability rights framework; digital inclusion as a right; GS-4 Ethics — access and inclusion as ethical imperatives.

★ FACTS CORNER — KNOWLEDGEPEDIA

KEY CASE — AMAR JAIN V. UNION OF INDIA (APRIL 30, 2025):

Bench: **Justice J.B. Pardiwala + Justice R. Mahadevan**

Ruling: Right to **digital access** = component of **Article 21** (right to life and personal liberty)

Directions: Accessible eKYC; remove eye-blink liveness checks for acid attack survivors; screen-reader compatibility for banking apps; bank staff sensitisation

Context: Advocates + disability rights activists petitioned for accessible eKYC for visually impaired and acid attack survivors

ARTICLE 21 MILESTONES:

Maneka Gandhi (1978): Procedure must be fair, just, reasonable

Olga Tellis (1985): Right to livelihood = right to life

Puttaswamy (2017): Privacy = fundamental right (9-judge bench)

Common Cause (2018): Passive euthanasia = right to die with dignity

Anuradha Bhasin (2020): Internet access = exercise of Art. 19 + Art. 21 rights

Amar Jain (2025): Digital access = Art. 21 right

RPWD ACT 2016:

Enacted: **2016** | Replaced: **PwD Act 1995**

Aligned with: **UNCRPD (2006)**; India ratified UNCRPD: **2007**

Disability categories: **21** (up from 7 under 1995 Act)

Reservation (govt. jobs): **4%** horizontal (up from 3%)

Reservation (higher education): **5%** seats in govt. HEIs

Chief Commissioner: Apex national authority for disability rights

SUGAMYA BHARAT ABHIYAN:

Launched: **December 3, 2015** (International Day of Persons with Disabilities)

Ministry: Social Justice and Empowerment

Pillars: Built environment + Transport + ICT accessibility

WCAG 2.0 Level AA compliance mandated for all govt. websites

INDIA'S DISABILITY DATA:

Census 2011: 2.21 crore | WHO estimate: ~5–7 crore

Visually impaired: **~50 million**

LFPR gap: PwDs ~36% vs general ~55% (19-pp employment gap)

OTHER RELEVANT FACTS:

World Braille Day: **January 4** (Louis Braille born 1809)

International Day of Persons with Disabilities (IDPD): **December 3** (UN since 1992)

Article 41 (DPSP): “Right to work, education and public assistance in cases of unemployment, old age, sickness and disablement”

eKYC: Electronic Know Your Customer; used by banks/financial institutions for identity verification via Aadhaar biometrics

UNCRPD Article 9: Accessibility — States must ensure equal access for PwDs to information, communication, and other services

Sources: Supreme Court of India, MSJE, LiveLaw, The Hindu

CURATED & WRITTEN BY

Bharat Choudhary

UPSC Educator & Content Creator

 linkedin.com/in/epicbharat

Published on ujjari.com · Free UPSC & State PCS Current Affairs