PCSMANTRA.COM | 17 NOVEMBER 2026

Aadhaar Face Authentication vs Access for the Disabled: Supreme Court's Contempt Warning



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Why in the News

On 16 November 2026 the Supreme Court warned the Union government and the authorities concerned that contempt action (action for defying the law and the court) could be initiated if they did not give a detailed and thorough response to an application stating that visually impaired and low-vision persons are still unable to independently complete Aadhaar face authentication (identity verification through facial recognition). A Bench headed by Justice J.B. Pardiwala issued notice on the application filed by advocate Amar Jain and scheduled the next hearing in four weeks.

The 2025 Judgment Whose Compliance Is Being Sought

In 2025, in Pragya Prasun versus Union of India, the Supreme Court gave a historic ruling that digital access is part of **Article 21** (the right to life and personal liberty). The Court had issued comprehensive directions to make digital KYC (Know Your Customer - the identity verification process) accessible for persons with disabilities. Mr Jain was one of the parties in that very case; he now says the judgment's directions have not been implemented on the ground.

What the New Application Says

- **Main grievance:** the face-authentication interface of the new Aadhaar app is built so that the user's eyes must remain attentive and look into the frame - which is not possible for a blind person. e-KYC now relies only on face authentication, so the entire process gets blocked.
- **Real-life impact:** annexed with the application is the latest proof of a private sector bank rejecting the applicant's e-KYC for a credit card in October 2026.
- **Systemic gaps:** there is no grievance mechanism for accessibility complaints against apps, websites and software; accessibility audits, nodal officers, human review of rejected KYC applications and compliance monitoring are not visible across regulated entities.
- **Demand:** the Union government, the Reserve Bank of India, the Ministry of Electronics and Information Technology, TRAI, the Department of Telecommunications, SEBI, PFRDA and IRDAI should be directed to fully implement the 2025 judgment.

The LPG-BAA Dispute: The Second Application

The Court has also sought a response on a separate application challenging the Ministry of Petroleum and Natural Gas decision under which Biometric Aadhaar Authentication (BAA - Aadhaar verification through fingerprint or face) became compulsory for subsidised domestic LPG refills from 1 October 2026. The government's reasoning is that this will stop the diversion of subsidised cylinders and ensure the subsidy reaches genuine beneficiaries; as per official figures of September 2026, 27.43 crore consumers (89.9 per cent) had already completed the process. The application's objection is that every channel of this authentication relies on face authentication and no accessible alternative has been prescribed. The demand is that until an accessible mode exists, a declaration supported by a UDID card (the national identity card for persons with disabilities) or a disability certificate, sent by email, IVRS (automated interactive phone service) or letter, should be accepted, and no consumer with a disability should be denied LPG at the regulated price or the subsidy.

What the Law Says

The Rights of Persons with Disabilities Act, 2016 (RPwD Act) is the central law in this matter. Its **Section 40** obliges the Central Government to frame accessibility standards for the physical environment, transport and information and communication technology, and **Section 42** requires it to ensure that persons with disabilities have access to electronic media and universal design (design usable by everyone). The Court's 2025 judgment connects these very provisions with **Article 21**: in the digital age, being cut off from access to a service is being cut off from the right to life itself.

The Issue Is Not Just Technology but Inclusion

In digital-first governance, the door to every service - bank account, subsidy, pension, gas refill - passes through e-KYC. When the only route to verification is a technology that keeps a group out, digital empowerment turns into digital exclusion for that very group. This is why the 2025 judgment said that true inclusion exists only when technological progress accommodates the diverse needs of all citizens.

Way Forward

- Accessible alternative authentication modes (IVRS, email declaration, UDID-based verification, assisted authentication) should be made mandatory.
- Regular accessibility audits of apps and portals under all regulators, and appointment of nodal officers.
- Human review of rejected KYC applications and a fixed time limit for grievance redress.
- The Centre's detailed reply at the next hearing will be the test of how far the 2025 directions have been implemented.

Mains Practice Question

Question. "The real measure of the success of digital governance is its inclusive access." Analyse this statement in the context of Aadhaar-based authentication systems and the rights of persons with disabilities. (250 words, 15 marks)

Answer Outline

In the introduction: state the spread of digital-first services and the recognition of digital access as part of **Article 21** in the 2025 judgment.

In the main body: discuss the problems of single-mode systems such as face authentication; **Section 40** and **Section 42** of the RPwD Act 2016; the absence of accessible alternatives in mandates like LPG-BAA; the lack of grievance mechanisms, audits and nodal officers; and the tension between digital exclusion and digital empowerment.

In the conclusion: conclude with universal design, alternative authentication modes and accountable monitoring that technology is empowerment only when it reaches the last person.

Prelims Practice Questions

Question 1. With reference to the 2025 Pragya Prasun versus Union of India judgment, consider the following statements:

Statement 1: The Court held digital access to be part of the right to life under Article 21
Statement 2: The Court issued directions to make the digital KYC process accessible for persons with disabilities
Statement 3: The Court declared the use of Aadhaar itself unconstitutional

Which of the statements given above is/are correct?

(a) 1 and 2 only
(b) 2 and 3 only
(c) 1 and 3 only
(d) 1, 2 and 3

Answer and Explanation

Correct answer: (a)

Statement 1: Correct - the Court said digital access is a part of the right to life
Statement 2: Correct - comprehensive directions were given for accessible digital KYC for persons with disabilities
Statement 3: Incorrect - the judgment did not strike down Aadhaar; it asked for it to be made accessible

Question 2. With reference to the LPG-related arrangement in force from 1 October 2026, consider the following statements:

Statement-I: Biometric Aadhaar authentication has been made compulsory for booking subsidised domestic LPG refills
Statement-II: This authentication can be completed only at the distributor's showroom

Which one of the following is correct?

(a) Both Statement-I and Statement-II are correct and Statement-II is the correct explanation for Statement-I
(b) Both Statement-I and Statement-II are correct but Statement-II is not the correct explanation for Statement-I
(c) Statement-I is correct but Statement-II is incorrect
(d) Statement-I is incorrect but Statement-II is correct

Answer and Explanation

Correct answer: (c)

Statement-I: Correct - BAA is compulsory for subsidised refills from 1 October 2026
Statement-II: Incorrect - all three channels are available: at the time of delivery, at the showroom and on OMC mobile apps

Related Articles (internal links)

- Digital Public Infrastructure (DPI): India's India Stack

Sources

- Supreme Court: Pragya Prasun versus Union of India, 30 April 2025 (official judgment)

- Press Information Bureau: Biometric Aadhaar authentication mandatory for subsidised domestic LPG refills from 1 October 2026 (19 September 2026)
- The Hindu's report: Supreme Court's contempt warning (16 November 2026)

Frequently Asked Questions (FAQ)

Summary answer: The Supreme Court has sought a detailed reply from the Centre over the inaccessibility of Aadhaar face authentication for visually impaired persons and warned of contempt; a 2025 judgment had held digital access to be part of Article 21.

Question: Why did the Aadhaar face-authentication matter reach the Supreme Court?

Advocate Amar Jain's application states that visually impaired and low-vision persons cannot independently complete the new Aadhaar app's face authentication, as it requires the eyes to stay attentive and look into the frame, while e-KYC now relies only on face authentication. On 16 November 2026 a Bench headed by Justice J.B. Pardiwala issued notice, warned of contempt if a detailed reply was not given, and fixed the next hearing in four weeks.

Question: What did the Pragya Prasun versus Union of India (2025) judgment say?

The Court held that digital access is part of the right to life under Article 21 and issued comprehensive directions to make the digital KYC process accessible for persons with disabilities. Mr Jain was a party in that very case; the present application seeks implementation of those directions.

Question: What changed for LPG refills from 1 October 2026?

From that date, Biometric Aadhaar Authentication (BAA) became compulsory for booking subsidised domestic LPG refills. Authentication can be completed at the time of delivery, at the distributor's showroom, or on OMC mobile apps. As per official figures of September 2026, 27.43 crore consumers (89.9 per cent) had already completed it. The application's objection is that every channel relies on face authentication with no accessible alternative.

Question: What is a UDID card and what is its role in this case?

The UDID (Unique Disability ID) card is the national identity card for persons with disabilities. The application demands that until an accessible authentication mode exists, a declaration supported by a UDID card or disability certificate, sent by email, IVRS or letter, should be accepted, and no consumer with a disability should be denied LPG at the regulated price or the subsidy.