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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 694/2020

GEORGE ABRAHAM Petitioner

Through: Ms. Nupur Raut, Advocate

versus

UNION OF INDIA & ORS Respondents

Through: Ms. Monika Arora, CGSC
Mr. Ramesh Babu M.R., Ms. Manisha
Singh, Ms. Nisha Sharma, Advocates
for RBI
Mr. Arjun Mitra, Advocate for IIT
Delhi

+ W.P.(C) 64/2019

BLIND GRADUATES FORUM OF INDIA Petitioner

Through: Ms. Ila Sheel, Advocate

versus

RESERVE BANK OF INDIA & ANR Respondents

Through: Mr. Ramesh Babu M.R., Ms. Manisha
Singh, Ms. Nisha Sharma, Advocates
for RBI

+ W.P.(C) 10727/2017

ALL INDIA CONFEDERATION OF THE BLIND Petitioner

Through: *Appearance not given*

versus

RESERVE BANK OF INDIA & ANR Respondents

Through: Mr. Ramesh Babu M.R., Ms. Manisha
Singh, Ms. Nisha Sharma, Advocates

for RBI
Mr. Kirtiman Singh, CGSC with
Mr. Waize Ali Noor, Ms. Kunjala
Bhardwaj, Mr. Madhan Bajaj,
Advocates

+ W.P.(C) 9728/2017

ROHIT DANDRIYAL AND ORS Petitioners

Through: *Appearance not given*

versus

RESERVE BANK OF INDIA AND ANR Respondents

Through: Mr. Ramesh Babu M.R., Ms. Manisha
Singh, Ms. Nisha Sharma, Advocates
for RBI

Ms. Shina Lakshmi, CGSC with
Mr. Ritwik, Advocates

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

29.07.2022

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CM APPL. 18601/2022 in W.P.(C) 694/2020

1. This is an application on behalf of the Petitioner seeking directions for appointment of a Committee to ensure access to financial services for the visually challenged persons.
2. The Petitioner, who is a visually challenged person, has filed the present writ petition praying for the following reliefs:-

“a. Issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction to the Respondents to ensure that all the banks comply with

the Master Circular DBR No. Leg. BC. 21 / 09.07.006 / 2015-16, dated July 1, 2015 issued by Respondent No.3;

b. Issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction to the Respondents to ensure that card reading devices for making card payments (Point-of-Sale Machines) are accessible for visually challenged persons;

c. Issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction to the Respondents to ensure that all bank websites and mobile phone applications for financial services are tested for accessibility at every stage of transaction;

d. Issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction to the Respondents to make it mandatory that all net banking facilities and mobile phone applications comply with W3C guidelines which are recognized by the Government of India;

e. Issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction to the Respondents to make it mandatory that all digital mobile wallet applications are accessible and user-friendly for visually challenged persons;

f. Issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction to the Respondents to ensure all ATM machines are voice-enabled and accessible for visually challenged persons;

g. Issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction to the Respondents to ensure that all software and hardware products procured by banks to be disabled-friendly;

h. Issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction to the Respondents for implementation of Section 13 of the Rights of Persons with Disability Act, 2016 with regard to visually challenged persons having control over their financial affairs;

i. Issue a Writ in the nature of Mandamus or any other appropriate writ, order or direction to the Respondents to ensure that employees and customer care service providers of all banks and financial services are trained and sensitized towards the needs and requirements of visually challenged customers;”

3. In the present writ petition, the difficulties which are being faced by visually challenged persons have been brought to the notice of this Court and there are other connected writ petitions also arising out of the same issue.

4. While the matter was being argued, learned counsel for the parties very fairly stated before this Court that a Committee has to be constituted to look into all the problems which are being faced by visually challenged persons in order to provide them with a proper solution.

5. The Respondent/RBI has proposed the name of Ms. Manisha Mishra, (GM), Department of Regulation, and Mr. Tushar Bhattacharya, (DGM) Department of Supervision to be part of the Committee.

6. The solution that has to be arrived at in the instant matter certainly requires experts from the field of information technology and, therefore, IIT, Delhi was also requested to furnish the name of two senior professors to be members of the Committee. IIT, Delhi has accordingly forwarded two names, (i) Prof. M. Balakrishnan, and (ii) Prof. Kolin Paul, Professors,

Department of Computer Science and Engineering, IIT Delhi.

7. Keeping in view the aforesaid, a High Powered Committee is constituted by this Court to look into all the grievances raised in the present application and the connected writ petitions to offer practical solutions in the matter. It is needless to state that the scope of the work of the Committee will not be confined only to the issues raised in the present writ petitions but other ancillary issues as well. Mr. George Abraham, the Petitioner in W.P.(C) 694/2020 and Mr. Amar Jain, Member of Blind Graduates Forum of India i.e. the Petitioner in W.P.(C) 64/2019 will also be the members of the Committee. Union of India shall also nominate an officer to be a Member of the Committee.

8. The Committee shall consist of the following persons:-

- i. Prof. M. Balakrishnan, Professor, Department of Computer Science and Engineering, IIT Delhi.
- ii. Prof. Kolin Paul, Professor, Department of Computer Science and Engineering, IIT Delhi.
- iii. Ms. Manisha Mishra, (GM), Department of Regulation.
- iv. Mr. Tushar Bhattacharya, (DGM) Department of Supervision.
- v. Mr. George Abraham, the Petitioner in W.P.(C) 694/2020.
- vi. Mr. Amar Jain, Member of Blind Graduates Forum of India i.e. the Petitioner in W.P.(C) 64/2019.
- vii. Officer to be nominated by the Union of India.

9. Prof. M. Balakrishnan shall be the Chairman of the Committee. The Director, IIT Delhi is requested to provide all logistic support to the Committee constituted under the Chairmanship of Prof. M Balakrishnan.

The Committee is granted three months' time to submit the Status Report. The Petitioners in W.P.(C) 9728/2017 shall be at liberty to give all inputs to the Committee.

10. This Court is pained to observe at this juncture that it is unfortunate that judicial intervention is required in such matters when measures to ensure ease of accessibility for the specially-abled should be implemented in a proactive manner. However, this Court hopes that the Committee will take these observations into consideration while arriving at a feasible solution.

11. Accordingly, the application is disposed of.

W.P.(C) 694/2020

W.P.(C) 64/2019

W.P.(C) 10727/2017

W.P.(C) 9728/2017 & CM APPLs. 39583/2017, 37978/2018, 28795/2021, 36581/2021

1. List on 25.11.2022.
2. The date already fixed i.e. 17.10.2022, stands cancelled.

SATISH CHANDRA SHARMA, CJ

SUBRAMONIUM PRASAD, J

JULY 29, 2022

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