



सत्यमेव जयते

न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment

भारत सरकार/Government of India

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Case No: 14458/1031/2023

In the matter of –

Mr. Dattatray Sriram Badade

... Complainant

Versus

The Director, National Medical Commissioner, New Delhi

... Respondent

1. Hearing:

1.1 A hearing in hybrid mode (online/offline) was conducted on 31.07.2025. The following parties/representatives were present during the hearing:

Sl. No.	Name of the parties /Representatives	For Complainant/ Respondent	Mode of Attendance
1.	Mr. Dattatray Sriram Badade	Complainant	Absent
2.	Mr. Sukhlal Meena, Director, NMC	Respondent	Online
3.	Ms. Preeti Nanda, Legal Consultant, NMC	Respondent	Online

2. RECORD OF PROCEEDINGS

2.1 At the outset, the Court noted from the records of the case that the notices and reminders sent to the Respondents did not reach them due to error in the email ID and, therefore, it decided to send the entire case record to the Respondent and allow 30 days' time to respond with their comments duly supported with the documents.

2.2 The Court asked the Respondent if they had any preliminary comments to make on these issues.

2.3 The Legal Consultant from the Respondent submitted that their earlier guidelines

of 2013 were quashed by the Hon'ble Supreme Court. They were under the direction of the Apex Court to revise their guidelines, which they have now done and issued the interim guidelines on 19th July 2025, in which relaxations have been provided to the candidates with disabilities. The candidates are now required to submit their UDID card and a self-certification on affidavit about their competencies. The candidates will then be referred to one of the designated Medical Boards, where the self-assessment certificate shall be verified before admission to the allotted medical college. However, candidates with Benchmark Disabilities only shall be permitted.

2.4 In respect of the instant case, the JJ Group of hospitals, which was one of the Medical Boards designated by the NMC for the purpose of NEET admission, has given a certificate of 28%. The candidate can get the same reassessed by filing an application before the medical board and if on reassessment, he is able to qualify as a person with Benchmark Disability, then he can get admitted.

2.5 The Court observed that the UDID has been made a mandatory requirement for availing the rights of a candidate available to him on the grounds of his disabilities. The Court acknowledged the merit of this stipulation in terms of its transparency and availability of assessment records online, etc., it sought from the respondent whether the decision to require the UDID Card was taken after considering the following facts:

(a) less than 50% of the Persons with Disabilities in India possess a UDID.

(b) The issue of UDID, at times, gets delayed for various reasons.

(c) Rule 20 of the RPwD Rules, 2017, provided that the certificates of disability issued under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, shall continue to be valid after commencement of the RPwD Act for the period specified therein, and

(d) The Respondent, in any case, sends the candidates to one of their designated medical boards for an assessment before giving admission to the candidates to the MBBS course.

2.6 The Respondent could not come up with a response to the above.

2.7 The Court recommended that the Respondent may consider allowing a reasonable time for production of the UDID Card to such candidates who possess a valid non-UDID Certificate issued by a competent medical board in a prescribed format. The Court directed the Respondent to submit their comments on the Complaint and the observation and recommendation of this Court as mentioned above, along with the following details within 30 days of receipt of this record of proceedings:

(a) Whether under the revised guidelines, a reassessment or quantification of the extent of disabilities comes within the mandate of the designated medical boards?

(b) Was any appellate mechanism available for the candidate to challenge the assessment of 28% by the NMC-designated Medical Board, and was he informed about the same?

2.8 This is issued with the approval of the Commissioner for Persons with Disabilities.

(P. P. Ambashta)
Dy. Chief Commissioner