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. 15535/1132/2024

In the matter of —

Suo-motu

Versus

The Chairman-cum-Managing Director,
National Divyangjan Finance & Development Corporation,
Unit No. 11 & 12, Ground Floor,
DLF Prime Tower, Okhla Phase-I,
Near Tehkhand Village,
New Delhi – 110020
Email: nhfdc97@gmail.com **… Respondent No.1**

The Channelising Agencies,
All States & Union Territories
(As per Appendix) **… Respondent Nos. 02 to 44**

1. Introduction

1.1 This suo motu proceeding is initiated under **Sections 75(1)(a) & 75(1)(b) read with Section 77** of the *Rights of Persons with Disabilities Act, 2016* (RPwD Act) to examine systemic barriers faced by persons with disabilities (PwDs) in availing loans under schemes of the **National Divyangjan Finance & Development Corporation (NDFDC)** and its **State Channelising Agencies (SCAs)**. The issues include insistence on information already available in the **UDID** database, disproportionate collateral, lack of timelines and tracking, and uneven digital enablement. The inquiry assesses conformity with the Act's guarantees of equality and non-discrimination and the duty to promote access to financial services, and issues recommendations to secure uniform, accessible, and accountable implementation.

2. Summary of Responses

2.1 NDFDC stated that UDID is mandatory and a portal is being developed to streamline loan applications using UDID data; it clarified SCAs are not MLIs and therefore often seek collateral. Several SCAs reported adherence to NDFDC guidelines (including UDID), while others disclosed process gaps or restructuring (e.g., West Bengal). Material from twelve States/UTs indicated movement toward UDID-only sanctions post-April 2023, though collateral practices and database maintenance remain inconsistent.

3. Dates of Hearings

3.1 Hearings were held on **09.08.2024 (Hearing-I)** and **09.10.2024 (Hearing-II)**; interim notices and compliance/ATR submissions were received between sittings.

4. Summary of Proceedings

4.1 Hearing-I (09.08.2024): The Court recorded recurring issues: absence of clear **timelines/FIFO**, excessive paperwork, non-use of UDID despite its mandatory character, disproportionate collateral, high margins, and poor utilisation tracking/mentorship. Directions included immediate UDID integration, development of a centralised application/monitoring portal, and a State-wise compliance data call.

4.2 Compliance/Interim Steps: NDFDC submitted information in the prescribed format from several SCAs; some States confirmed UDID-only processing from April 2023; West Bengal reported its SCA's restructuring; and select SCAs described collateral practices aligned to internal policies. The Court required NDFDC to compile a list of States/UTs **without SCAs** and to present a beneficiary database (preferably in Excel) covering sanction, collateral, and repayment fields.

4.3 Hearing-II (09.10.2024): The Court clarified it is not prohibiting collateral per se but insisted on **proportionality** and **data-backed prudence** to avoid NPAs. It recommended a **1% timely-repayment rebate** (on the pattern of NDFDC's central scheme) for SCAs, mandated UDID-based sanction, and directed creation/maintenance of a comprehensive beneficiary database (sanction dates, amounts, collateral type/value, utilisation, repayment, mentorship, UDID, and contact). Time-bound compliance and action-taken reports were ordered.

5. Observations

5.1 Statutory mandate and process discipline. Chapter V of the RPwD Act obligates effective facilitation of financial access for PwDs. Process frictions (paper requisitions despite UDID availability, undefined timelines, and opaque rejections) frustrate statutory objects and must be cured through uniform, digital, and accessible workflows.

5.2 UDID as the single source of truth. Non-use or selective use of UDID after April 2023 is non-compliant. UDID-first design reduces paperwork and fraud risks, improves targeting, and enables auditability across SCAs.

5.3 Collateral proportionality & reasonable accommodation. Collateral, where taken, must be **proportionate** to the exposure and tailored to the borrower's profile, consistent with the constitutional and statutory duty of **reasonable accommodation**.

5.4 Digitisation, transparency, and accessibility. A centralised, UDID-integrated portal for applications, sanction, disbursal, utilisation tracking, and repayment is essential. The platform must comply with **GIGW/WCAG** standards, provide minor-correction gateways, and produce open dashboards.

6. Recommendations

6.1 UDID-based processing :

(a) Accept only UDID-backed applications for sanction/disbursal; any loan sanctioned post-April 2023 without UDID shall be treated as **irregular** and flagged for corrective action.

(b) NDFDC to enforce UDID validation APIs across all SCAs and automatically reject duplicate or fragmentary records.

6.2 Collateral policy:

(a) Notify a **proportional collateral matrix** (e.g., collateral bands mapped to ticket sizes and risk grades) with alternatives such as hypothecation or partial guarantees, avoiding blanket demands.

(b) Publish SCA-wise collateral norms on a common page; deviations must be by **speaking orders** recorded on the system.

6.3 Timelines, First-in-First Out (FIFO), and Turn Around Time (TAT):

(a) Adopt **FIFO** with defined **TATs** (e.g., 15 days for scrutiny, 30 days for sanction), auto-escalation on breach, and weekly pendency dashboards.

(b) Non-speaking objections to be barred; only checklist-based, cited to scheme norms.

6.4 Centralised digital workflow:

(a) NDFDC to launch a **UDID-integrated portal** covering application, sanction, disbursal, utilisation capture, and repayment tracking.

(b) Ensure **GIGW/WCAG** compliance, replace inaccessible CAPTCHAS, enable **minor-correction** fields with audit logs, and publish quarterly **independent accessibility audits**.

6.5 Data schema & beneficiary database:

Standardise fields: UDID, sanction date/amount, collateral type/value, utilisation, mentorship, repayment, and NPA flags.

6.6 Affordability and prudential nudges:

(a) Implement a **1% timely-repayment rebate** across SCAs to incentivise discipline and reduce NPAs.

(b) Offer pre- and post-sanction **mentorship** via simple online modules.

6.7 Coverage gaps & non-SCA States:

(a) NDFDC to file a list of **States/UTs without SCAs** and propose interim mechanisms to ensure continuity of access.

(b) Quarterly review of onboarding progress until pan-India coverage is achieved.

6.8 Monitoring, grievances, and transparency:

(a) Create a **30-day Service Level Agreement (SLA)** grievance cell for UDID/process/collateral disputes with escalation to NDFDC.

(b) Publish dashboards on sanctions, TATs, rejections (reason-coded), collateral profile, repayments, and appeals.

6.9 Compliance under Sections 76, 89 & 93:

(a) Respondents shall **accept** these recommendations or file a **reasoned non-acceptance** within three months in accordance with Section 76 of the Act. If the NDFDC or the SCAs feel that the time provided under Section 76 is inadequate, they may file, within **30 days**, an **Implementation Plan** mapping each recommendation to responsible officers, milestones, and URLs of live dashboards/portals. SCAs shall align their processes within the notified timelines and furnish Action Taken Reports accordingly.

(b) Continued non-compliance or withholding of information may invite action under

Sections 89 and 93 of the RPwD Act.

7. In exercise of the Commission's mandate, and for the reasons recorded above, the matter is disposed of in these terms.

Digitally signed by
Rajesh Aggarwal
Date: 16-10-2025
11:54:15

(Rajesh Aggarwal)
Chief Commissioner