



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. CCPD/16037/1033/2025

In the matter of —

Suo-motu

Versus

The Joint Secretary (Scholarship)
Department of Empowerment of Persons with Disabilities,
Ministry of Social Justice & Empowerment, New Delhi
& 32 concerned States/UTs and Others (As per the List)

1. Introduction: This Court took a suo-motu cognisance of the inordinate delay in approval and/or disbursement of scholarship to persons with disabilities under various scholarship schemes of the Central Government, resulting in hardships and, in some cases, denial of the right to education to persons with disabilities. The importance of education as a tool for empowerment cannot be overstated. As such, this Court, in view of sections 3, 4, 16 (iii) (iv) and Section 17 (h) of the Rights of Persons with Disabilities Act, 2016, hereinafter referred to as “the Act”, decided to review the status of all pending scholarships for persons with disabilities with state and central government authorities. As such, notices for reply and comments were issued to the DEPwD and governments of all states and UTs. Later on, the NIC and some higher education institutions were also impleaded.

2. Hearings were conducted in hybrid mode on **10.03.2025, 24.03.2025, 21.05.2025 and 11.07.2025**. The Records of Proceedings (RoP) of the first three hearings were issued on **13.03.2025, 25.03.2025 (amended on 27.03.2025), and 01.06.2025**. These RoPs, which are reasoned in

nature, are available on the website of this Court. Thus, the details of the proceedings are not being repeated here for brevity.

3. Summary of Proceedings:

3.1 Upon reviewing the oral and written submissions from the respondents, this Court reiterated that the pending applications for scholarship are either required to be verified and recommended for release of scholarship or rejected with the reasons to be recorded in the parties' written submissions. The Court was informed during the hearing 24.03.2025 about the NSP portal being inactive for a long time. The Court directed for impleadment of the NIC and that the DEPwD shall reexamine the scholarship policy to remove any redundancy and make it more efficient. It also directed that the benefit of a scheme can not be stopped for the reason that the portal is dysfunctional. It desired for manual clearance of applications. The Court was particularly intrigued by the rationale for the need for SNO's recommendation in a scheme fully funded by the central government, particularly where the institute is also a central institute.

3.2 The DEPwD issued directives on 15.05.2025 to process all the physical applications so far received from the INOs/SNOs offline by 16.05.2025 itself to obtain sanction from the Secretary, DEPwD, and to follow up the matter with the IFD, PAO, etc., to disburse scholarships to all the eligible applicants whose applications are pending due to the closure of the NSP portal within 2 days.

3.3 This Court suggested exploring self-certification for renewal cases, noting that income verification is already conducted for fresh applications. It also called for data analysis to determine the frequency of cases where family income exceeds the eligibility limit.

3.4 Respondents were directed to investigate and identify any INO or SNO responsible for keeping scholarship applications pending without approval or rejection, and take necessary departmental action against the erring officials.

3.5 The Department of Empowerment of Persons with Disabilities

(DEPwD) was instructed to issue revised guidelines within two weeks of the issuance of the Record of Proceedings (RoP) to streamline the scholarship process.

3.6 DEPwD and the National Informatics Centre (NIC) were urged to collaborate with the Direct Benefit Transfer (DBT) Mission to enhance efficiency in processing applications, particularly renewals, to eliminate avoidable delays.

3.7 This Court also inquired about the timeline for implementing Cabinet Secretary-recommended changes to the scholarship portal. Officials reported that all changes, except the transfer of verification responsibility from the domicile state to the state of study, were complete; the remaining change is set for the next academic year. The Court expressed concern that NIC had not implemented this change in the current academic year, deeming such disregard of high-level directives as unacceptable.

3.8 The Court reviewed the number of scholarship applications received this academic year: 60 for fresh verification, 33 for post-matric renewal, 28 for pre-matric, and none for Top Class scholarship renewal. The DDG, NIC, informed that students with pending renewals were sent messages. The Court directed a random selection of five students to determine reasons for non-application and ordered reminder SMS messages to all concerned. Regarding releasing scholarship amounts to the 60 applicants, officials explained that a lack of portal access to edit fees was causing delays. The DDG and NIC assured that the issue would be resolved within a few days.

4. Observation and Recommendations:

4.1 This Court raised concerns about persistent challenges in the central government's scholarship schemes, including delayed disbursement and missed opportunities for eligible students due to slow verification by state nodal officers (SNOs). The court recommended that scholarship for students with disabilities (SwDs) be disbursed quarterly in respect of renewal applications after verification of INO/MNO without waiting for full beneficiaries list.

4.2 This Court also addressed irregularities at Mahima School of Nursing in Odisha. Despite the reservation mandate, the school reported no PwD enrolment for 2023-24 and 2024-25, contradicting official

records. The Department of Empowerment of Persons with Disabilities (DEPWD) was directed to seek explanations from the Nursing Regulator, the College Principal, and state authorities. It was observed that the college's INO had wrongly shown PwD enrolments to claim scholarship funds. The Court sought clarification from the Deputy Director General (DDG), NIC, on the INO approval and KYC process, and directed him to submit a detailed report on the discrepancies. The Court further called for verification of the college's compliance with the 5% PwD reservation, receipt of government aid, and allocation of subsidised government land.

4.3 This Court noted that 109 PwD students in Odisha, 86 in Rajasthan, and 73 in Tamil Nadu could not receive scholarships due to pending INO verifications. Chief Secretaries were requested to initiate an inquiry into the process and fix accountability wherever required. The State Commissioner for Persons with Disabilities (SCPD), Odisha, stated that the matter had been referred to the School and Mass Education Department. The Court clarified that SCPDs can impose fines on schools and colleges denying entitlements to PwD students.

4.4 The Court observed that low application numbers may result from limited awareness at the INO level and suggested wider publicity through advertisements and SMS in Hindi and English. It also recommended setting an average fee limit, below which students would not need to submit fee receipts or supporting documents, to streamline the process. The Court further urged all SCPDs to expedite the scholarship process to ensure timely benefits for genuine students.

4.5 In continuation of the directions already contained in the preceding paragraphs, and upon a comprehensive review of the statutory provisions under the Rights of Persons with Disabilities Act, 2016, the Rules framed thereunder. In light of the binding obligations arising from the scholarship scheme guidelines and judicial precedents on inclusive education, the following further recommendations are hereby made for implementation by the concerned authorities.

4.6 The DEPWD and all implementing agencies shall ensure a time-bound workflow for scholarship processing with defined outer limits.

4.7 In the case of renewals, the requirement of fresh verification by

SNOs shall be dispensed with wherever no domicile-linked or other eligibility criteria have changed. The applicant's self-certification of income and continuity shall be accepted, subject to a post-audit of up to ten per cent (10%) of cases by the concerned SNOs. The Department shall issue the necessary modifications in the scheme guidelines and portal design accordingly.

4.8 Closure of the National Scholarship Portal (NSP) shall not result in the denial of benefits to any applicant who has submitted their application within time or whose application has remained pending due to official inaction. The Department shall maintain a standing Standard Operating Procedure (SOP) for offline processing of such cases till full clearance of pending applications.

4.9 Each INO and SNO shall maintain a delay register, showing applications pending beyond last date of verification by INO/SNO/MNO as the case may be, and the same shall be communicated after date of closing of verification with justifications to the State Commissioner for Persons with Disabilities (SCPD) and Chief Commissioner for Persons with Disabilities (CCPD). In unjustified delay or wrongful denial cases, the concerned officer shall be liable for recovery of compensatory interest and costs to the student under Sections 89 and 93 of the Act.

4.10 The National Scholarship Portal shall include a real-time, publicly viewable dashboard showing state-wise and institution-wise pendency, approval timelines, and reasons for rejection, with downloadable reports for audit purposes. A monthly Scholarship Scorecard shall be published by the Department and shared with the Commission.

4.11 All electronic interfaces and digital communications related to scholarship disbursement shall be made fully compliant with the Indian Standards IS 17802 (Part 1 and Part 2) concerning accessibility of ICT products and services, as notified under Rule 15 (1) (c) of the Rights of Persons with Disabilities Rules, 2017, as amended in 2023. The Department shall publish an Accessibility Conformance Report within sixty (60) days of this Order.

4.12 All State and institutional authorities shall ensure the dissemination of scholarship information through multilingual outreach and targeted reminders via SMS and other accessible means. Institutions shall conduct at least one fortnightly on-campus facilitation camp during the

application period, with attendance and photographs uploaded on the portal.

4.13 All INOs shall undergo annual e-KYC verification and two-factor authentication to maintain integrity and transparency. Institutions that have submitted fraudulent or inflated data shall be debarred from the scheme, and recovery of funds with applicable interest shall be effected.

4.14 A tiered grievance redressal mechanism shall be operationalised on the NSP, escalating automatically to the SNO, DEPwD, and finally to the CCPD/SCPD.

4.15. Consistent with the principles affirmed by the Hon'ble Delhi High Court in *Aadriti Pathak v. GD Goenka Public School* (September 2025), all educational institutions, including private unaided ones, shall ensure non-discrimination, reasonable accommodation, and proactive certification support to PwD students applying for scholarships. Any act of obstruction or delay shall be treated as a denial of reasonable accommodation within Section 3(5) of the Act.

4.16 The Department shall coordinate with UIDAI and PFMS to ensure seamless reconciliation of beneficiary data and bank details.

5.1 These recommendations are issued to ensure that the statutory guarantees of equality, accessibility, and inclusion under the RPwD Act, 2016, are translated into effective, time-bound and accountable mechanisms for the benefit of students with disabilities across the country. The Respondents being recommended here shall file their ATR within three months in terms of Section 76 of the Act.

5.2 Accordingly, the case is disposed of.

(Rajesh Agarwal)
Chief Commissioner