



न्यायालय मुख्य आयुक्त

COURT OF 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 and Empowerment

भारत सरकार/ Government of India

Diary No. DNO/26/CCPD/6210

Dated: 06/09/2026

Case No: DNO/26/CCPD/6210

In the Matter of

Complainant

Ms. Kumari Rituvarna Banerjee (Represented by Shri Saikat Banerjee)

Versus

Respondent

The Deputy Director General, UIDAI Regional Office, Mumbai

1. Gist of the Complaint

1.1 The Complainant, father and natural guardian of Kumari Ritu Verna Banerjee (Shri Saikat Banerjee), a seven-year-old child with 90% Multiple Disabilities (Visual Impairment and Mild Intellectual Disability), submitted that the Respondent authorities failed to facilitate the mandatory biometric update of the child's Aadhaar despite repeated attempts. It was submitted that during visits to the Aadhaar Seva Kendra, the officials insisted upon capturing fingerprints despite the child's disability, instead of invoking the Biometric Exception mechanism available under the UIDAI framework, resulting in repeated failure of enrolment and considerable hardship. The Complainant further alleged that the child was wrongly charged ₹250 for the failed biometric update although the first mandatory biometric update for children is to be provided free of cost. It was also contended that the child's name had been incorrectly recorded as "Ritu Varna" instead of "Ritu Verna" despite submission of the birth certificate and that the Respondent authorities failed to rectify the error for several years. The Complainant sought correction of the child's Aadhaar particulars, refund of the amount charged, appropriate compensation for the hardship caused, recognition of the rights of the natural guardian, and suitable directions to ensure accessible Aadhaar services for persons with disabilities.

2. Hearing

2.1. A hearing was conducted on 23.07.2026 in hybrid mode, wherein the following

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parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1	Shri Saikat Banerjee	Complainant
2	Lt. Col. Dhruv, Director General	Respondent

3. Record of Proceedings

3.1 The Respondent submitted that the grievance had initially arisen through an application filed under the Right to Information Act, 2005, and that the information sought therein could not be disclosed owing to the restrictions contained under the Aadhaar Act and the applicable regulations governing the Central Identities Data Repository (CIDR). It was further submitted that once the matter came to the notice of the Regional Office, the Respondent facilitated the Aadhaar enrolment process, following which the Aadhaar of the child was successfully generated. With regard to the allegation of overcharging, the Respondent submitted that the amount had subsequently been borne by one of the employees and not by the Complainant. It was also contended that the initial enrolment form did not indicate that the request pertained to the mandatory biometric update, and had the appropriate option been selected, the service would have been provided free of cost.

3.2 The Complainant contested that the present grievance extended beyond the RTI proceedings and pertained to the prolonged denial of accessible Aadhaar services to a child with benchmark disabilities. The Complainant argued that the grievance remained unresolved from the year 2021 until intervention by this Court, following which the Respondent authorities acted upon the matter. It was further submitted that the denial of records under the RTI Act on the ground that the natural guardian constituted a "third party" was legally untenable. The Complainant relied upon the provisions of the Hindu Minority and Guardianship Act, 1956, the Guardians and Wards Act, 1890, and decisions of the Central Information Commission, to contend that a natural guardian cannot be treated as a third party while seeking records necessary for safeguarding the rights of a minor child with disabilities. The Complainant further maintained that the prolonged administrative delay caused the child unnecessary hardship and denied timely access to identity documentation essential for availing disability-related entitlements.

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3.3 Upon hearing the submissions of both parties, the Court observed that the primary grievance relating to issuance of the Aadhaar card now appears to have been substantially redressed, as the Aadhaar card had been issued prior to the present hearing. However, the Court noted that the considerable delay experienced by the Complainant in obtaining the Aadhaar card, particularly in the case of a child with benchmark disabilities, warranted examination. The Court further observed that the allegations regarding denial of accessible services, insistence upon repeated biometric capture despite the child's disability, wrongful charging of fees, and the prolonged failure to rectify the child's particulars require appropriate verification by the Respondent authority.

4. Respondent's Submission

4.1 The Respondent submitted, vide email dated 23.07.2026, that the complaint primarily emanated from an application filed under the Right to Information Act, 2005, and contended that the RTI mechanism is intended only for furnishing information and not for redressal of grievances. It was submitted that the information sought by the Complainant pertained to records maintained in the Central Identities Data Repository (CIDR), disclosure of which is governed by the provisions of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 and the applicable Regulations. Accordingly, the information sought could not be furnished beyond the statutory framework governing confidentiality of Aadhaar records.

4.2 The Respondent further relied upon the documents filed along with its written submissions, including the reply furnished by the Central Public Information Officer (CPIO) under the Right to Information Act, 2005, the order passed by the First Appellate Authority, copies of the Aadhaar enrolment and mandatory biometric update records along with the relevant acknowledgements, communications relating to the facilitation of the child's Aadhaar update and subsequent generation of the Aadhaar, the relevant provisions of the Aadhaar Act, 2016, the Aadhaar (Enrolment and Update) Regulations and the RTI Act governing disclosure of information contained in the Central Identities Data Repository (CIDR), as well as other supporting correspondence and records demonstrating the action taken by UIDAI in processing and resolving the Complainant's grievance.

5. Observation and Recommendations

5.1 The Court observed that issues concerning denial of information under the Right to Information Act, 2005, interpretation of the provisions of the Aadhaar Act, 2016, or challenges to the legality of decisions rendered under those enactments fall beyond the jurisdiction of this Court. The Complainant was

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accordingly granted liberty to pursue appropriate remedies before the competent forum with respect to such issues.

5.2 In view of the foregoing, the Respondent is recommended to examine the circumstances surrounding the delay in issuance of the Aadhaar card, the allegation regarding wrongful collection of ₹250 towards the mandatory biometric update, the conduct of the concerned Aadhaar Seva Kendra in handling the enrolment of a child with benchmark disabilities, and the circumstances leading to the incorrect recording of the child's name. The Respondent shall verify whether the mandatory biometric update ought to have been provided free of cost and, if any amount has been wrongly collected, ensure that the same stands refunded in accordance with applicable UIDAI rules and procedures.

5.3 The Respondent shall conduct an appropriate inquiry into the incidents complained of, verify the factual position with the concerned Aadhaar Seva Kendra, and submit a detailed Action Taken Report before this Court within 15 days, specifically indicating:

1. the reasons for the delay in facilitating the Aadhaar update and issuance;
2. the findings regarding the allegation of wrongful collection of ₹250 and the action taken thereon;
3. the steps taken to ensure accessible enrolment facilities, including the availability and use of the Biometric Exception mechanism for persons with benchmark disabilities;
4. the corrective measures adopted to prevent recurrence of similar grievances; and
5. the status of compliance with the applicable UIDAI guidelines relating to accessibility and services for persons with disabilities.

5.4 The Respondent shall furnish the aforesaid Action Taken Report along with all supporting documents within the stipulated period of 15 days, with a copy to the Complainant. Failure to comply may compel this Court take necessary action u/s 89 and 93 of the RPwD Act, 2016. Consequently, the Court has determined no further intervention necessary.

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6. Accordingly, the case is disposed of.

Yours faithfully,

**(S. Govindaraj)
Commissioner**

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